

County of Loudoun
Department of Planning
MEMORANDUM

DATE: July 31, 2009

TO: Stephen Gardner, Project Manager
Land Use Review

FROM: Kelly Williams, Planner
Community Planning

SUBJECT: ZMAP 2006-0011 and ZCPA 2006-0003 Stone Ridge Commercial, 3rd Referral

BACKGROUND

Stone Ridge Community Development, LLC (the "applicant") is requesting a rezoning and zoning concept plan amendment ("Stone Ridge Commercial") of approximately 68 acres in order to relocate and consolidate residential and non-residential uses, accommodate road re-alignments, designate public use sites for a future fire and rescue site and future commuter parking facility, and amend the previously approved proffers and concept plan to reflect these changes.

This is the third submission of the application. The applicant has responded to second submission comments by providing a revised statement of justification, response letter and a revised Concept Development plat dated June 16, 2009. This referral is intended to be supplementary to Community Planning's December 14, 2006 and May 5, 2009 referrals.

The Stone Ridge community was originally approved as a mixed-use, planned community on approximately 800 acres within the Route 50 corridor and included a core of employment-related land uses for community residents. The community is located at the southwest intersection of Gum Spring Road and Route 50 and is bisected east-west by Tall Cedars Parkway and lies between future relocated 659 and Stone Springs Boulevard.

OUTSTANDING ISSUES

A. LAND USE

Suburban Policy Area

In the first and second referrals staff identified the following land use issues:

- the impact of the Stone Ridge Commercial application, and in particular that the rezoning of a Land Bays 5R and 6 (formally Land Bay DD) from industrial to residential and the existing PD-IP parcel to CLI, would result in continued erosion of employment-related land uses that are emphasized within the Business Community policies of the Revised General Plan and the original Stone Ridge community land use mix;
- erosion of land dedicated to employment-related land uses within the Stone Ridge community will negatively impact the County's opportunity to maximize employment opportunities for residents of Stone Ridge and the surrounding community along these business corridors;
- no guarantee that development will build to that maximum level of intensity and could in fact result in the loss of additional square feet of employment-related land uses; and,
- the Plan does not support increasing the amount of CLI zoned property in the Route 50 Corridor.

The application has been revised to address the above issues by removing the request to rezone property to CLI and has provided an acre-to-acre and use-to-use land swap for residential and commercial uses between land bays. There will be no change in zoning acreage, unit number or unit type. The land use mix between the previously approved ZMAP 2002-0013 and the proposed ZMAP 2006-0003 are consistent with each other and no employment related area has been lost (see Table 1 below).

Table 1: Land Use Mix Comparison

Land Use Category	ZMAP 2002-0013*		ZMAP 2006-0003*	
	Ac.	%	Ac.	%
Residential	447.0	58.0%	451.3	58.0%
Commercial Retail	31.0	4.0%	31.0	4.0%
Office/Light Industrial	56.2	7.0%	56.2	7.0%
Parks/Open Space	178.0	23.0%	178.0	23.0%
Public/Civic	61.0	8.0%	61.0	8.0%
Totals	773.2	100%	777.5	100%

*Within the Suburban Policy Area portion

Further, the application is proposing to rezone additional CLI zoned property along Route 50, which was not part of the original Stone Ridge rezoning, to PD-OP. This property is contiguous with the PD-OP parcel of Stone Ridge Commercial and meets the Plan's objective to consolidate and rezone CLI property in the Route 50 Corridor.

This issue is resolved.

Transition Policy Area

In the first referral, staff requested more information regarding the revisions proposed for Land Bay 1 in order to determine if the application is in keeping with the land use policies of the Plan. The applicant's response stated that it is the intent of the application to provide for adjustments to the tree conservation areas and to amend the proffers to allow Land Bay 1 to be developed with any special exception use permitted in the Zoning Ordinance upon the approval of a special exception application.

Staff requests that the applicant clarify if it is the intent of the proffer amendment to allow for a mix of uses (residential and special exception uses) or if it will be limited to one or the other. The tree conservation revisions are addressed in the Forests, Trees, and Vegetation section of this referral.

B. FIRE AND RESCUE PUBLIC USE SITE

In the previous submittal, staff expressed concern with the location of the public use site for the fire and rescue station related to the size and environmental constraints of the parcel. The application has been revised to relocate the proposed future fire and rescue site further north to Land Bay 7. Evaluation of the site indicates that it is larger in size and is not encumbered by environmental constraints as was the previous proposal. This application proposes a site that is more appropriate in size and location for a fire and rescue station and that is more in keeping with the County's Capital Facility Standard for Fire and Rescue stations.

This issue is resolved.

C. EXISTING CONDITIONS

1. Forests, Trees, and Vegetation

The Revised General Plan calls for the preservation, protection and management of forests and natural vegetation for the various economic and environmental benefits that they provide (Revised General Plan, Chapter 5, *Forests, Trees, and Vegetation*, policy 1). Staff supports the preservation of existing forest and vegetation along the tributaries to the maximum extent possible.

In the second referral, staff noted that Land Bay 1 located in the Transition Area eliminated the previously approved open space and tree conservation areas along the eastern border of Land Bay 1 which follows the existing tributary that parallels Northstar Boulevard. This submittal of the application has been revised to add a portion of that

tree save area back onto the Concept Development Plan (CDP), however it appears that residential lots and roadways will continue to impact the stream in the southern portion of the site. The Revised General Plan establishes stream corridor policies that reinforce the important role rivers and stream corridors play in protecting Loudoun County's water resources (Revised General Plan, Chapter 5, River and Stream Corridor Resources and Surface and Groundwater Resources, text). Stream corridor policies include the protection of rivers and streams, adjacent steep slopes, wetlands, forests, and historic, cultural and archeological resources within the floodplain (Revised General Plan, Chapter 5, River and Stream Corridor Resources, policy 2).

Staff continues to recommend that the tributary be included as open space and identified as a tree conservation area as previously approved to ensure its protection.

In the second referral, staff supported the establishment of a forested buffer along the tributary and within the stream corridor between Land Bays 5R and 6 in order to protect the overall water quality of the Broad Run. It appears that the tree conservation area has been removed from this location.

Staff recommends that the tree conservation area be re-established between Land Bays 5R and 6 as shown on prior application materials.

It appears that there are several locations where designated tree conservation areas on the CDP conflict with the statement of justification and the proposed proffer language (see ERT's referral for specific details).

Staff recommends that the application be revised in accordance with ERT's recommendations dated July 22, 2009 related to tree conservation areas.

2. Steep Slopes

There are areas of moderately steep slopes along the western border of Land Bay 7R that will be impacted by the proposed re-alignment of Millstream Drive. Moderately steep slopes refer to areas with a 15%-25% grade. Steep slopes include areas greater than a 25% grade (Revised General Plan, Chapter 5, Steep Slopes and Moderately Steep Slopes, text). The hazards associated with the disturbance of steep and moderately steep slopes include erosion, building and/or road failure, and downstream flooding. For these reasons, the Plan calls for the County to prohibit land disturbance on steep slopes and special performance standards when developing on moderately steep slopes (Revised General Plan, Chapter 5, Steep Slopes and Moderately Steep Slopes, policy 3). "Standards will include best management practices, locational clearances for clearing and grading, and approval of natural drainageways" (Revised General Plan, Chapter 5, Steep Slopes and Moderately Steep Slopes, policy 3).

Staff concurs with ERT's recommendations dated July 22, 2009 and continues to recommend that Millstream Drive be designed to minimize impacts to moderately steep slopes and that commitments be made to protect the steep slopes areas and adjacent floodplain and stream during construction activities.

3. Wetlands

The County's Predictive Wetlands Model indicates that wetlands exist throughout the site. The County supports the federal goal of no net loss to wetlands (Revised General Plan, Chapter 5, *River and Stream Corridor Resources*, policy 23) and seeks to protect its green infrastructure elements and recapture elements where possible (Revised General Plan, Chapter 6, *Green Infrastructure*, text). Mitigating wetland and stream impacts close to the impact area will help maintain water quality and flood protection functions, as well as habitat.

The applicant indicates that wetland mitigation has already been approved and contracted for in accordance with the approved wetlands permits.

Staff concurs with the ERT's recommendations dated July 22, 2009 to "identify the location of the mitigation and provide a copy of the approved wetland permit, authorizing the impacts. If mitigation is proposed outside of Loudoun County, it is recommended that the permit be modified to provide mitigation within Loudoun County. Staff further concurs with ERT's recommendation that the applicant should commit to prioritizing wetland mitigation as follows: 1) onsite, 2) within the Broad Run Watershed within the same Planning Policy Area, 3) within the Broad Run Watershed outside the Planning Policy Area, and 4) Loudoun County, subject to approval by the U.S. Army Corps of Engineers (Corps) and the Virginia Department of Environmental Quality (DEQ).

D. SITE DESIGN

In the second referral, the following design features were recommended as called for in the Plan for businesses locating in the Route 50 corridor (*DSAMP, Route 50 Corridor, text and policies 1 & 2*):

- compact site design;
- buildings as the prominent feature;
- unity of design and architectural appearance within a development;
- extensive landscaping and berms to screen and buffer parking, loading and outside storage;
- trees along street frontage;
- limited use of signs; and,
- compatibility with adjacent properties.

New development within the Arcola Area/Route 50 Corridor should conform to the design objectives of the Plan. In addition, on February 20, 2007 the Board of

Supervisors approved the Route 50 Corridor Design Guidelines (dated January 4, 2007), which also apply to the subject site. The Route 50 Corridor Design Guidelines provide guidance in the Route 50 corridor for design standards related to building arrangement, streetscape, parking, service area, site element and building design.

The applicant has proffered to construct all buildings located in the PD-OP portion of this development adjacent to Route 50 to a minimum height of three stories. This is in keeping with the Plan's vision of prominent buildings and more compact design. However, staff continues to request more detail as to the proposed building design, loading areas, lighting, signage, and usable outdoor spaces for this application along with commitments to ensure compliance with the Plan policies for the Route 50 Corridor.

E. CAPITAL FACILITIES

Under the Revised General Plan, all residential rezoning requests will be evaluated in accordance with the Capital Facility policies of the Plan (Revised General Plan, Chapter 3, Proffer Policies, policy 3). The Revised General Plan calls for capital facilities contributions valued at 100 percent of capital facility costs per dwelling unit at densities above the specified base density (Revised General Plan, Proffer Guidelines, Capital Facilities, policy 1).

The application is proposing no changes in residential acreage, unit number, unit type or density with this application, therefore the previously proffered capital facilities contribution of \$12,602,744 less the library site, and water storage/pumping facility as specified in the previously approved proffers of ZMAP 2002-0013 and ZCPA 2002-0004 shall be retained.

In this application, however, the applicant has proposed to receive credit against the previously proffered capital facilities cash contribution for the dedication of the proposed public use sites (fire and rescue site and commuter parking facility). In accordance to CPAM 2006-0001, for the purposes of evaluating proffers for public use sites, the developer shall provide the County with an appraisal, by a County approved appraisal firm, for the per-acre value of land not requiring improvements by the developer. The appraisal of the market value of the site will be based upon comparison of properties with similar densities suggested by the Planned Land Use Designation in the Revised General Plan (Revised General Plan, Chapter 3, Fiscal Planning and Public Facilities, Proffer Policies, policy 8 and Chapter 11, Implementation, Capital Facilities, policy 5).

An appraisal of the proposed public use sites, in accordance with the Revised General Plan policies is necessary to complete the review of the Capital Facilities proffer amendments for this application.

G. OPEN SPACE PRESERVATION PROGRAM

The application has been revised and is proposing no changes in residential acreage, unit number, unit type or density with this application, therefore the previously proffered open space contribution for 133 easements shall be retained.

This issue is resolved.

RECOMMENDATION

Over time, the Stone Ridge Development has become a predominately residential development that currently does not conform to the Business Community land use designation as identified in the Revised General Plan and the Route 50 Corridor Plan. However, this application is proposing a land use mix that maintains consistency with the previously approved rezoning of Stone Ridge. Therefore, Community Planning staff could support this application if the outstanding issues related to green infrastructure, site design for development along the Route 50 Corridor, and capital facilities as outlined in this referral, are addressed.

Cc: Julie Pastor, AICP, Planning Director
Cindy Keegan, AICP, Program Manager, Community Planning, via e-mail

This page intentionally left blank.

County of Loudoun
Department of Planning
MEMORANDUM

DATE: May 5, 2009

TO: Stephen Gardner, Project Manager
Land Use Review

FROM: Kelly Williams, Planner *KSW*
Community Planning

SUBJECT: ZMAP 2006-0011 and ZCPA 2006-0003 Stone Ridge Commercial, 2nd Referral

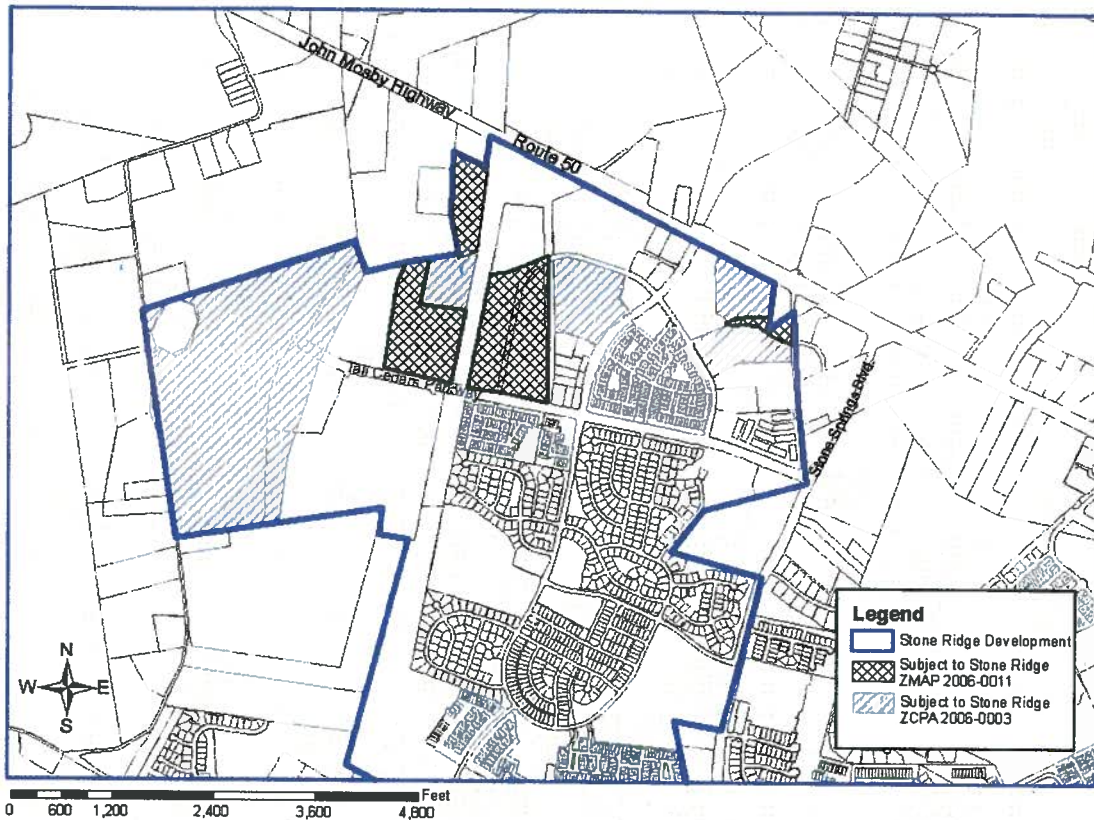
BACKGROUND

Stone Ridge Community Development, LLC (the "applicant") is requesting a rezoning and zoning concept plan amendment ("Stone Ridge Commercial") of approximately 77 acres in order to relocate and consolidate residential and non-residential uses, accommodate road realignments, add a public use site, and amend the previously approved proffers and concept plan to reflect these changes.

This is the second submission of the application. The applicant has responded to first submission comments by providing a revised statement of justification, response letter and a revised Concept Development plat dated January 27, 2009. The proposal has substantially changed since the first submittal and the outstanding issues are described below. This referral is intended to be supplementary to Community Planning's December 14, 2006 referral.

The Stone Ridge community was originally approved as a mixed-use, planned community on approximately 800 acres within the Route 50 corridor and included a core of employment-related land uses for community residents. The community is located at the southwest intersection of Gum Spring Road and Route 50 and is bisected east-west by Tall Cedars Parkway and lies between future relocated 659 and Stone Springs Boulevard (see Location Map below).

Location Map



The applicant proposes to rezone approximately 50 acres of PD-4, R-24 and PD-IP zoned property to PD-H4, R-16, PD-OP, PD-IP and CLI in order to rearrange land uses within the Stone Ridge development and to accommodate road realignments. It is proposed that South Point Drive be realigned to connect with existing South Point Drive across Gum Spring Road. This alignment will encroach within residential Land Bay FF1A (formally FF1) and the application proposes to relocate the displaced residential units to Land Bays 6 and 5R (formally Land Bay DD). It is proposed that one acre of the residential area from Land Bay FF-1A will be rezoned to the PD-OP district and consolidated with Land Bay FF2B (formally Land Bay FF), and approximately 1.9 acres will be rezoned CLI and combined with an existing CLI parcel at the corner of Route 50 and Gum Springs Road. The application is not proposing an increase in the number of residential units. The statement of justification indicates that the zoning changes will allow for approximately 2,400 additional square feet of employment uses.

Additionally, the application proposes to relocate the PD-IP uses of former Land Bay DD from the east side of the power lines to the west and the residential uses of former Land Bay 5 from the west to the east. Millstream Drive will also be realigned through proposed Land Bay 7R and Land Bay 8 (formally Land Bays 5 & 7) to connect with Tall

Cedars Parkway rather than to cross over the South Fork of Broad Run to Relocated 659. Proposed Land Bay 8 has been designated for a public use site.

Green infrastructure elements are present on the site, including tributaries of the South Fork of the Broad Run, moderately steep slopes, forest cover, jurisdictional wetlands, and river and stream corridor resources. The site also includes a 250-foot wide, north-south overhead power and underground natural gas easement adjacent to the west boundary of Land Bay DD, the Ldn 60-65 aircraft noise contour, and the one-mile buffer of the Ldn 60-65 noise contour.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

Guidance for development of the subject property is provided by the Revised General Plan, as amended by the Arcola Area/Route 50 Corridor Plan. The Revised Countywide Transportation Plan, the Countywide Retail Plan Amendment ('Retail Plan') and the Bicycle and Pedestrian Mobility Master Plan ('Bike/Ped Plan') also apply. The site, located in the Dulles Community of the Suburban Policy Area, is designated for Business Community uses (*Arcola Area/Route 50 Corridor Plan, Planned Land Use Map*). The majority of the Stone Ridge development falls within the Dulles community of the Suburban Policy Area, with approximately 95 acres located in the Transition Policy Area. This referral has been organized to address the revisions to the development in each area individually (See attached land use map). The parcels subject to this application located in the Suburban Policy area are planned for Business land uses.

The proposed application has been reviewed under the Revised General Plan Suburban policies of Chapter 6 as amended by the Arcola Area/Route 50 Corridor Plan, specifically the Business policies; the Transition Policies of Chapter 8; the Economic Development policies of Chapter 4 pertaining to the Route 50 corridor; the Green Infrastructure policies of Chapter 5 and the Design Guidelines in Chapter 11 for Residential, Regional Office and Industrial uses. The proposal has also been reviewed for compliance with the Route 50 Corridor Design Guidelines.

ANALYSIS

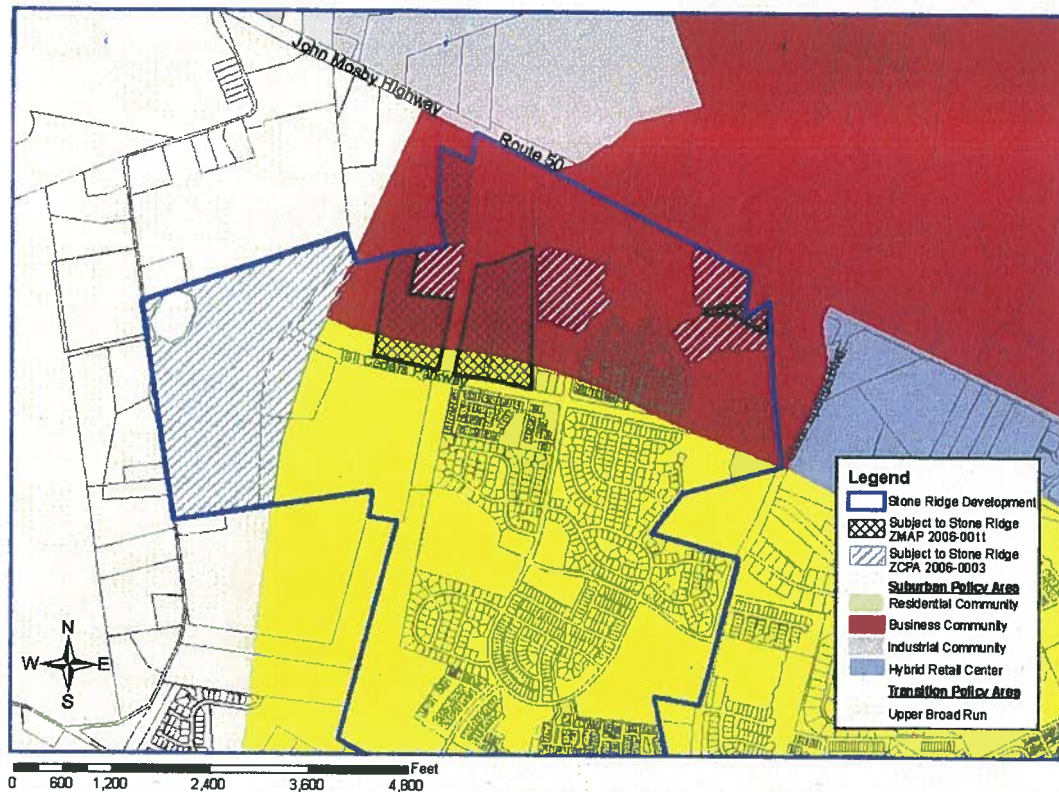
A. LAND USE

Suburban Policy Area

Route 50 is a major business corridor as well as the southern gateway to western Loudoun County. The Plan recognizes that the existing Commercial-Light Industrial (CLI) zoning along the road's frontage negatively affects the corridor's long term vision. The County seeks to achieve consolidation of these parcels to obtain higher value business locations as the overall area develops (*Revised General Plan, Chapter 4, Business Land Use and Corridor Development, Route 50, text*). On October 17, 2006, the Board of Supervisors adopted the Arcola Area/Route 50 Corridor Plan (CPAM 2005-0007) which amended the policies and planned land use map for this area and reiterated an economic development focus within the Route 50 corridor to include

office, light industrial, industrial, retail and other tourism-related opportunities such as restaurants and hotel accommodations (*Arcola Area/Route 50 Corridor Plan, Economic Development, policy 1*). With its adoption, the subject property's planned land use designation was changed from Corridor Retail to a modified Business Community (Planned Land Use map).

Planned Land Use



The Arcola Area/Route 50 Corridor Plan states that areas designated Business in the Route 50 corridor shall be subject to the policies and land use mix ratios of Chapter 6 except as modified or supplemented by the Corridor Plan (*Arcola Area/Route 50 Corridor Plan, Business Community, policy 1*). Planned Business areas are envisioned to develop as either Regional Office or Light Industrial communities. Although the land use mix recommended in the Plan varies for both types of community, the employment use should be the predominant component with supportive commercial retail/service uses as well as high density residential uses (up to 25% of the total land area) (*Revised General Plan, Chapter 6, Regional Office Uses, policy 2 and Light-Industrial Uses, policy 5, and Arcola Area/Route 50 Corridor Plan, Business Community, policy 4*). In order to address the deficit of retail uses and the potential for tourism within the Route 50 corridor, the County may consider retail/commercial service uses that exceed the

10% maximum set out for Business Communities in Chapter 6 as long as certain criteria are met (*Arcola Area/Route 50 Corridor Plan, Business Community, policy 2*). Higher Floor Area Ratios (FARs) for proposed non-residential development are encouraged to ensure that land situated along Route 50 will build out to its full potential (*Arcola Area/Route 50 Corridor Plan, Economic Development, policy 4*).

Stone Ridge was originally approved (ZMAP 1994-0017) as a planned, mixed-use, community on approximately 800 acres that includes a maximum of 2,792 residential units, up to 347,600 sq. feet of retail, 269,800 sq. ft. of office, 2.31 million sq. ft. of light and general industry, a middle school, a County library site, and a 26-acre County park. On December 6, 2005, the Board of Supervisors approved ZMAP 2002-0013 and ZCPA 2002-0004 ("Stone Ridge"). Approval of the application added approximately 77 acres of property to Stone Ridge, rezoned approximately 247 acres of the original property, and added 472 dwelling units (including 32 ADU's). The Stone Ridge rezoning also resulted in an amendment to the proffers that deleted the requirement to convey a 7.5 acre library site to the County and required the applicant to provide 40,000 square feet of space for the public library in an office building to be constructed by the applicant on existing Land Bay FF2. The timing of the library construction has been added to the proffers.

Table 1 below compares the land use mix, measured as a percentage of overall land area, which resulted from previously approved Stone Ridge rezonings versus the current application. Based on percentages, Table 1 demonstrates that approval of Stone Ridge Commercial would result in a change to the overall land area dedicated to employment-related land uses and the overall land use mix of the Stone Ridge community. The approximately 1.0% increase in land area for residential land uses corresponds with the 1.0% decrease in office and light industrial land uses through the conversion of the approximately 10 acres of industrial-zoned property to residential. This may not seem significant when looking at the Stone Ridge Project as a whole, but the loss of office/light industrial acreage will impact the Business Community portion of the site where 27 acres of PD-IP will be lost to residential and only 15 acres of residential will be converted to PD-IP, with at least 3 acres of the PD-IP being designated for a public use site. Additionally, this does not include the existing 4.5 acre parcel of PD-IP which is proposed to be rezoned to CLI (Land Bay 9). Further the land proposed to be converted to PD-IP contains significant environmental resources which may restrict employment development in that location. Since the originally rezoning in 1994, the loss of PD-IP land will total approximately 151.9 acres. Over time, the Stone Ridge Development has become a predominately residential development and no longer provides the mixed use concept that was envisioned by the Plan or by the original Stone Ridge Concept Plan itself.

Table 1: Land Use Mix Comparison

Land Use Category	ZMAP 1994-0017		ZMAP 2002-0013*		ZMAP 2006-0003*	
	Ac.	%	Ac.	%	Ac.	%
Residential	374.3	46.8%	447.0	57.8%	455.9	58.9%
Commercial Retail	34.2	4.5%	31.0	4.0%	31.0	4.0%
Office/Light Industrial	199.2	24.9%	56.2	7.3%	47.3	6.1%
Parks/Open Space	150.3	18.8%	178.0	23.0%	177.96	23.0%
Public/Civic	42.0	5.0%	61.0	7.9%	61.0	7.9%
Totals	800.0	100%	773.2	100%	773.16	100%

*Within the Suburban Policy Area portion

Staff has identified four land use issues of concern. First, the impact of the Stone Ridge Commercial application, and in particular the rezoning of Land Bays 6 & 5R (formally Land Bay DD) from industrial to residential, would result in continued erosion of employment-related land uses that are emphasized within the Business community policies of the Revised General Plan and the original Stone Ridge community land use mix (ZMAP 1994-0017). The applicant states that the proposed rezoning is consistent with the Suburban Policy Area land use recommendations for residential communities. The subject site, however, is planned for Business where an emphasis is placed on employment-related land uses (office & industrial) that can also feature housing, commercial/retail, public/civic uses, parks, and open space so individuals can live near where they work while also having convenient access to services, shops, and recreation (Revised General Plan, Chapter 6, Regional Office Uses Policy 2 and Light-Industrial Uses, policy 5, and Arcola Area/Route 50 Corridor Plan, Business Community, policy 4).

Second, the Revised General Plan stresses the importance of placing business land uses along business corridors (Revised General Plan, Chapter 6, Regional Office Uses Policy 2 and Chapter 4, Economic Development Policies, Policy 6). Land Bays 5 R & 6 (formally Land Bay DD) are located between Route 50 and Tall Cedars Parkway – a minor arterial and major collector, respectively. Any further erosion of land dedicated to employment-related land uses within the Stone Ridge community will negatively impact the County's opportunity to maximize employment opportunities for residents of Stone Ridge and the surrounding community along these business corridors.

Third, the statement of justification indicates that the zoning changes will allow for approximately 2,400 additional square feet of employment uses. This information is unclear as the Concept Development Plan, Stone Ridge Commercial Rezoning Density Exchange Table (Sheet 5 of 15) shows that there will be a 1,954 reduction in square

footage with the proposed rezoning. Further, there are no guarantees that development will build to the maximum level of intensity.

Fourth, the application is proposing to rezone Land Bay 9 and Land Bay 10 to CLI. As stated above the Plan recognizes that the existing Commercial-Light Industrial (CLI) zoning along the road's frontage negatively affects the corridor's long term vision. The County seeks to achieve consolidation of these parcels to obtain higher value business locations as the overall area develops (*Revised General Plan, Chapter 4, Business Land Use and Corridor Development, Route 50, text*). The Plan does not support increasing the amount of CLI zoned property in the Route 50 Corridor.

It is also important to note that smaller residential communities to the east such as Masira, Providence Glen, and Treburg have relied upon the Stone Ridge community to provide employment opportunities for residents of their developments. Any change to the approved Concept Development Plan that erodes land areas dedicated to employment-related land uses within Stone Ridge will have a negative impact on surrounding residential developments.

Staff does not support any further conversion of land from employment-related land uses to residential uses within the Business community portion of Stone Ridge based on four concerns. First, the impact of the Stone Ridge Commercial application, and in particular the rezoning of a Land Bays 5R and 6 (formally Land Bay DD) from industrial to residential and the existing PD-IP parcel to CLI, would result in continued erosion of employment-related land uses that are emphasized within the Business Community policies of the Revised General Plan and the original Stone Ridge community land use mix. Second, further erosion of land dedicated to employment-related land uses within the Stone Ridge community will negatively impact the County's opportunity to maximize employment opportunities for residents of Stone Ridge and the surrounding community along these business corridors. Third, the application does not guarantee that development will build to that maximum level of intensity and could in fact result in the loss of additional square feet of employment-related land uses. Fourth, the Plan does not support increasing the amount of CLI zoned property in the Route 50 Corridor. Overall, this proposal will further erode employment opportunities between Tall Cedars Parkway and Route 50, and will have a negative impact on surrounding residential developments.

Compatibility

Although subordinate to employment-related land uses, housing is a recommended use within areas planned for Business. Careful consideration should be given to the placement of non-residential and residential development so that potential conflicts are minimized.

One way to minimize potential land use conflicts is to utilize the County's green infrastructure to shape land uses and to structure the various elements of development (*Revised General Plan, Chapter 2, Planning Approach, text*). Land Bays 5R and 6 (formally Land Bay DD) are currently planned for employment-related uses and are separated from existing residential to the east by the natural stream corridor that includes a tributary of the South Fork of the Broad Run, 100-year floodplain, some forested vegetation, and a stormwater management pond (Existing Conditions, Sheets 6 and 7 of 15). The stream corridor is an environmental feature that can be preserved and enhanced to maintain a natural and visual buffer from differing land uses on either side of the corridor and provides opportunities for linear pedestrian linkage along the corridor between Tall Cedars Parkway and Millstream Drive. Land Bays 5R and 6 (formally Land Bay DD) are also bounded on the west by an existing 250-wide easement that contains underground transmission and high-voltage power lines. The existence of the utility easement, when combined with the natural stream corridor, makes these land bays ideally suited for employment-related land uses.

The applicant's proposed Land Bays 5R and 6, where multi-family and single family attached residential are located, does not take into account the stream corridor that currently defines the separation of existing residential land uses from planned employment-related land uses, and is contrary to Stone Ridge's original intent to utilize green infrastructure to separate residential and non-residential land uses. Land Bays 5R and 6, are also bounded on the west by an existing 250-wide easement that contains underground transmission and high-voltage power lines. The existence of the utility easement, when combined with the natural stream corridor, makes former Land Bay DD ideally suited for employment-related land uses.

Transition Policy Area

The *Revised General Plan* envisions that the Transition Policy Area will achieve a balance between the natural and the built environment, and development patterns will serve as a transition both visually and spatially between the suburban areas to the east and the rural areas to the west (*Revised General Plan, Chapter 11, Transition Policy Area Design Guidelines, text*). Plan policies envision the Upper Broad Run subarea to develop in a clustered pattern at the existing zoning of one dwelling per 3 acres or 1 dwelling/acre (*Revised General Plan, Chapter 8, Community Design, Upper Board Run and Upper Foley Subareas, text*).

It appears that the application does not propose any additional single family detached residential units in Land Bay 1, than were originally approved in 2005. Staff requests that the applicant provide a detailed account of what is being proposed as part of the ZCPA for Land Bay 1. Staff has identified some site design issues with Land Bay 1, discussed below.

More information regarding the revisions proposed for Land Bay 1 is required in order to determine if the application is in keeping with the land use policies of the Plan.

In addition to the fundamental land use issues related to the loss of business land areas within Stone Ridge, staff has identified additional issues related to the proposal. These issues are outlined below.

B. PUBLIC USE SITE

The applicant proposes a Public Use Site of approximately 3.4 acres on Land Bay 8. This land bay is located in close proximity to the floodplain and steep slopes. Further it is predominantly covered with healthy deciduous trees, and has an existing stream system located in the rear of the property. Both the Environmental Review Team of Building and Development (referral dated 4/13/2009) and the Department of Fire, Rescue and Emergency Services (referral dated 4/16/2009) have evaluated this site and determined that it is not an ideal location for a public use site given the size of the parcel and the limiting environmental features. Staff concurs with those evaluations as development of the site would not protect the County's green infrastructure elements and do not meet the capital facilities standards for parcel acreage for fire and rescue sites. Further, Fire and Rescue staff has identified that a fire and rescue station in this area is not a part of the current Capital Improvement Program (CIP) or Capital Needs Assessment (CNA) documents and therefore there are no current plans to construct a facility in this location at this time.

Staff requests that the applicant provide more information as to why the a fire and rescue public use site is proposed in this location, as it has not been identified as needed in this area by the County's CIP or CNA. Further, this location has considerable environmental constraints and is not sizable enough to meet the County's Capital Facility Standard for Fire and Rescue stations.

C. EXISTING CONDITIONS

The Revised General Plan defines the County's Green Infrastructure as a "collection of natural, cultural, heritage, environmental, protected, passive, and active resources that will be integrated in a related system" (Revised General Plan, Chapter 5 Green Infrastructure Policies, policy 1). Examples of green infrastructure components include stream and river corridors, wetlands, forested areas, tree stands, steep slopes, greenways, trails, historic and archeological sites and other open spaces. Green infrastructure is the framework and unifying element that determines where and how development will occur within Loudoun County (Revised General Plan, Chapter 5 Green Infrastructure Policies, text).

The applicant's Concept Development Plan shows three tributaries affecting the subject site that feed the South Fork of the Broad Run. A north-south tributary defines the western boundary of Land Bay 7R and 8. Another north-south tributary defines the

eastern boundary of proposed Land Bays 5R and 6. The third north-south tributary is located between Land Bays FF2A and FF2B and traverses the western portion of Land Bay FF1A. These tributaries include 100-year floodplains, areas of moderately steep slopes, forested and emergent wetlands as shown on the concept development plan. A fourth tributary, is located along the west side of future relocated Route 659 and transverse the eastern edge of Land Bay 1. This tributary does not have associated floodplain, however, does have significant tree cover and potential wetland associated with it.

1. Stream Corridor

Stone Ridge is located within the Broad Run watershed and includes river and stream corridor resources (*Revised General Plan, Chapter 5, River and Stream Corridor Resources Map & Major and Sub-Watersheds Map*). The *Revised General Plan* establishes stream corridor policies that reinforce the important role rivers and stream corridors play in protecting Loudoun County's water resources (*Revised General Plan, Chapter 5, River and Stream Corridor Resources and Surface and Groundwater Resources, text*). Stream corridor policies include the protection of rivers and streams, adjacent steep slopes, wetlands, forests, and historic, cultural and archeological resources within the floodplain, and a 50-foot management buffer adjacent to the floodplain and steep slopes (*Revised General Plan, Chapter 5, River and Stream Corridor Resources, policy 2*). Within the floodplain and 50-foot management buffer, uses are limited to activities that will support and enhance the biological integrity and health of the river and stream corridor, including passive and active recreation, road crossings, pervious paths and trails, and agricultural activities (*Revised General Plan, Chapter 5, River and Stream Corridor Resources, policy 18*).

In the first referral dated December 14, 2006 staff recommended that the applicant include river and stream corridor resources, including the 50-foot management buffer, on the Concept Development Plan. It was further recommended that the applicant provide a minimum 100-foot buffer, inclusive of the 50-foot management buffer, along segments of the tributaries where the floodplain does not extend beyond 100 feet.

The applicant has complied with the request by locating the buffers on the parcels subject to this application. Staff continues to recommend that applicant commit to the protection, enhancement and long-term maintenance of the stream corridors along the two tributaries.

2. Forests, Trees, and Vegetation

The *Revised General Plan* calls for the preservation, protection and management of forests and natural vegetation for the various economic and environmental benefits that they provide (*Revised General Plan, Chapter 5, Forests, Trees, and Vegetation, policy 1*). Staff supports the preservation of existing forest and vegetation along the tributaries to the maximum extent possible.

Staff notes that Land Bay 1 has been revised to eliminate the previously approved open space and tree conservation areas along the eastern border of Land Bay 1 which follows the existing tributary that parallels Northstar Boulevard. Sheets 10 and 12 (Illustrative Plan and Land Use Map), proposes a road and lots in locations that will impact the stream in this area. Staff recommends that the tributary be included as open space, and identified as a tree conservation area as previously approved to ensure its protection.

With the proposed re-alignment of South Point Drive, the Environmental Resources Team of Building and Development (ERT) identified several healthy mature white oak trees located north of the proposed road alignment, adjacent to a cleared area. Staff supports ERT's recommendation "that the existing vegetation in this area be identified as a tree conservation area on sheets 5 and 11. The tree conservation area should include a suitable width to avoid impacting the critical root zone (CRZ) of the oak trees. Maintaining tree cover in this area will help to offset loss of tree cover in other areas caused by this application."

The application's Tree Cover Exhibit (Sheet 9 of 10) indicates a mixed hardwood tree cover adjacent to a segment of the Broad Run tributary on the eastern boundary of Land Bays 5R and 6. Staff supports the establishment of a forested buffer along the tributary and within the stream corridor in order to protect the overall water quality of the Broad Run.

Staff recommends the applicant commit to protecting the overall quality of the Broad Run through the preservation of existing forest and vegetation along the tributaries of the subject site to the maximum extent possible. In particular, staff supports the establishment of a forested buffer along the tributary and within the stream corridor adjacent to the east boundary of Land Bays 5R and 6 (formally Land Bay DD) to protect the overall water quality of the Broad Run. Further, staff recommends retaining the existing oak trees along the realignment of South Point Drive and re-establishing the tree conservation area on Land Bay 1 to maintain the previously approved open space and to protect the existing tributary of Board Run.

3. Steep Slopes

There are areas of moderately steep slopes along the western border of Land Bay 7R that will be impacted by the proposed re-alignment of Millstream Drive. Moderately steep slopes refer to areas with a 15%-25% grade. Steep slopes include areas greater than a 25% grade (*Revised General Plan, Chapter 5, Steep Slopes and Moderately Steep Slopes, text*). The hazards associated with the disturbance of steep and moderately steep slopes include erosion, building and/or road failure, and downstream flooding. For these reasons, the Plan calls for the County to prohibit land disturbance on steep slopes and special performance standards when developing on moderately steep slopes (*Revised General Plan, Chapter 5, Steep Slopes and Moderately Steep*

Slopes, policy 3). "Standards will include best management practices, locational clearances for clearing and grading, and approval of natural drainageways" (Revised General Plan, Chapter 5, Steep Slopes and Moderately Steep Slopes, policy 3).

Staff recommends that Millstream Drive be relocated to the east to minimize impacts to moderately steep slopes and that commitments be made to protect the steep slopes areas and adjacent floodplain and stream during construction activities.

4. Wetlands

The County's Predictive Wetlands Model indicates that wetlands exist throughout the site. The County supports the federal goal of no net loss to wetlands (Revised General Plan, Chapter 5, River and Stream Corridor Resources, policy 23) and seeks to protect its green infrastructure elements and recapture elements where possible (Revised General Plan, Chapter 6, Green Infrastructure, text). Mitigating wetland and stream impacts close to the impact area will help maintain water quality and flood protection functions, as well as habitat.

Staff concurs with ERT's recommendation that the applicant should commit to prioritizing wetland mitigation as follows: 1) onsite, 2) within the Broad Run Watershed within the same Planning Policy Area, 3) within the Broad Run Watershed outside the Planning Policy Area, and 4) Loudoun County, subject to approval by the U.S. Army Corps of Engineers (Corps) and the Virginia Department of Environmental Quality (DEQ).

5. Historic Resources

The Revised General Plan states the County will require an archeological and historic resources survey as part of all development applications and include a plan for recordation and preservation of any identified resources, along with measures for mitigation and adaptive reuse (Revised General Plan, Chapter 5, Historic and Archeological Resources Policies, policy 3). The applicant submitted an addendum to the report titled "Phase 1 Archeological Investigations of the 124.5 Acre Glascock Property, Loudoun County, Virginia" with the first submittal of this application in 2006.

Upon review of the current application and the Phase 1 archaeological survey of the "Glascock Property" prepared by Thunderbird in 2006, it appears that the area tested in the 2006 survey does not match the project area now under consideration. Staff requests that the applicant submit archaeological reports relevant to the entire project area as soon as possible.

6. Noise Impacts

The Plan states that the "County will require all land development applications that propose land uses adjacent to any of the existing and/or proposed arterial and major collector roads will be designed to ensure that no residential or other type(s) of noise-

sensitive use(s) will have traffic noise impacts which occur when the predicted traffic noise levels approach or exceed the noise abatement criteria on the Noise Abatement Criteria (NAC) Hourly A-weighted Sound Levels table, or when predicted traffic noise levels substantially exceed existing noise levels" (Revised General Plan, Chapter 5, Highway Noise Policies, policy 2).

Tall Cedars Parkway is designated as a major collector roadway and future Northstar Boulevard is planned to be a minor arterial roadway as specified in the Countywide Transportation Plan. There are new residential uses proposed along Tall Cedars Parkway and it appears that Land Bay 1 has been redesigned to locate residential uses closer to Northstar Boulevard.

Staff recommends that the applicant demonstrate how the application complies with the highway noise policies of the Plan as outlined above.

D. SITE DESIGN

Overall, the Plan calls for new development to achieve and sustain a built environment of high quality (Revised General Plan, Chapter 5, Built Environment Policies, policy 1). The Plan further states that business land uses should seek to reduce the potential impact of building size, exterior cladding of buildings, signs and other features of an employment use that may create negative visual impacts on the surrounding community (Revised General Plan, Chapter 6, General Business Land Use Policies, policy 5). The Arcola Area/Route 50 Corridor Plan, and the Revised General Plan, provides a number of design guidelines that are applicable to this project.

The Revised General Plan and the DSAMP identify Route 50 as a business corridor and the southern gateway to Loudoun County (Revised General Plan, Chapter 4, Business Land Use and Corridor Development, Route 50 Corridor, text). In an effort to preserve the Route 50 corridor as a southern gateway to western Loudoun County, certain design features should be incorporated into the design of the site so that it can provide a high quality natural and built environment (DSAMP, Route 50 Corridor, text and policy 1). The following design features are recommended by the Plan for businesses locating in the Route 50 corridor (DSAMP, Route 50 Corridor, text and policies 1 & 2):

- compact site design;
- buildings as the prominent feature;
- unity of design and architectural appearance within a development;
- extensive landscaping and berms to screen and buffer parking, loading and outside storage;
- trees along street frontage;
- limited use of signs; and,
- compatibility with adjacent properties.

New development within the Arcola Area/Route 50 Corridor should conform to the design objectives of the Plan. In addition, on February 20, 2007 the Board of Supervisors approved the Route 50 Corridor Design Guidelines (dated January 4, 2007), which also apply to the subject site. The Route 50 Corridor Design Guidelines provide guidance in the Route 50 corridor for design standards related to building arrangement, streetscape, parking, service area, site element and building design. The application does not include design information for the proposed development.

Staff requests more detail as to the proposed building design, loading areas, lighting, signage, and usable outdoor spaces for this application along with commitments to ensure compliance with the Plan policies for the Route 50 Corridor.

Staff notes that the land bay names have changed over the course of time and through subsequent applications for the Stone Ridge Development. This makes it difficult to review the concept development plans and proffers of the past and how they relate to the current application. Staff requests a chart or table that specifies what land bays have been renamed along with land use information related to those changes.

E. PEDESTRIAN AND BICYCLE LINKAGE

The County is committed to establishing an integrated trails system for pedestrians and cyclists, and will work to establish connections among pedestrian and bicycle sidewalks, paths, and trails (*Revised General Plan, Chapter 5, Greenways and Trails, text*). All development proposals need to include pedestrian and bicycle design and development program that is consistent with national guidelines, including the AASHTO Guide for the Development of Bicycle Facilities, the Americans with Disabilities Act Accessibility Guidelines (ADAAG), and the Loudoun County Bicycle and Pedestrian Facility Design Toolkit (*Bike/Ped Plan, Transportation Project Development Policies, policy 2*).

Shared use pathways or trails are an important component of a bicycle and pedestrian transportation system, because they can provide a high quality walking and bicycling experience in an environment that is protected from traffic. Shared use paths, conforming to AASHTO standards, should be 10-feet wide and paved. Regarding internal pedestrian connections, five to six foot wide sidewalks should be provided, consistent with the Bike/Ped Plan (*Bike/Ped Plan, Recommended Shared Use Pathways, text*). The County also supports the development of alternative forms of transportation in the Route 50 corridor such as transit and bicycle and pedestrian facilities (*Arcola Area/Route 50 Corridor Plan, Transportation Policies, policy 5*). Specific information regarding the proposed pedestrian and bicycle circulation plan has not been provided. Without such information, staff is unable to evaluate the pedestrian and bicycle circulation system.

Staff requests more information regarding the proposed pedestrian and bicycle circulation system, including the type of facilities provided such as (sidewalks, shared use paths, etc.) and their materials. Bicycle racks should also be provided throughout the development in support of non-vehicular modes of transportation to this facility.

F. CAPITAL FACILITIES

Under the Revised General Plan, all residential rezoning requests will be evaluated in accordance with the Capital Facility policies of the Plan (Revised General Plan, Chapter 3, Proffer Policies, policy 3). The Revised General Plan calls for capital facilities contributions valued at 100 percent of capital facility costs per dwelling unit at densities above the specified base density (Revised General Plan, Proffer Guidelines, Capital Facilities, policy 1).

Capital facilities costs are based on unit type and will need to be reevaluated for the units subject to the rezoning of Land Bays 5R and 6. The proffers should specify the unit types proposed for each land bay in the development. On July 25, 2006, the Board of Supervisors adopted revised Capital Intensity Factors (CIF) as follows for the eastern part of the County, including the Transition Policy Area: \$46,819 for single family detached, \$29,709 for single family attached and 18,904 for multi-family units.

Because of the major land use issues associated with this application, Capital Facilities calculations have not been calculated. If this application is considered further, staff recommends that the applicant revise the proffers to identify the proposed residential unit types in order to determine capital facilities costs for the rezoning of Land Bays 5R so that staff can determine capital facilities contributions for this application.

G. OPEN SPACE PRESERVATION PROGRAM

To achieve higher density housing, "the Board of Supervisors anticipates evidence of participation in the Open Space Preservation Program". "Land contribution on an acre-by-acre basis is desired. However, if the land offered does not suit the County in terms of quality or location, the County may consider cash in lieu of the land for the purchase of open space. The County anticipates that cash donations for open space will be spent in the Suburban Community in which the increased density is granted" (Revised General Plan, Chapter 11, Proffer Guidelines, Open Space, policy 3). Contributions should be provided to enable the County to purchase Suburban Policy Area open space to offset the density proposed by the development.

Because of the major land use issues associated with this application, Open Space calculations have not been reviewed. If this application is considered further, anticipated contributions to the County's Open Space Preservation Program will be included in subsequent referrals.

H. ZONING MODIFICATIONS

Proposed Modification - The Applicant has requested a modification of Section 4-305(B)(2) *Lot Requirements*, to permit buildings in the PD-OP Land Bay FF2B to be located as close as 60 feet to the adjacent R-24 zoning district, the northern boundary of which is defined by the centerline of South Point Drive. Where the reduced yard is utilized, the yard area adjacent to South Point Drive will include the plantings of a Type 2 front yard buffer.

The Applicant states the reduction of this yard requirement will allow greater design flexibility to create a more urban streetscape, promote pedestrian access and connectivity, and enhance the landscaping along South Point Drive. It is unclear how this will be achieved as the application does not provide a specific design for the land bay. Materials demonstrating how this modification would provide a more innovative design is necessary to determine if a modification to the ordinance is acceptable.

Staff requests a more detailed design that provides assurances that the modification of the setback achieves a more desirable design as indicated by the Statement of Justification.

RECOMMENDATION

Community Planning Staff is not able to support the rezoning request. Staff does not support any further conversion of land from employment to residential within the Business community portion of Stone Ridge. Any reduction of land dedicated to employment uses will further erode employment opportunities between Tall Cedars Parkway and Route 50, will have a negative impact on surrounding residential developments, and will increase the negative fiscal impacts of residential development by disrupting the residential/non-residential balance of Stone Ridge.

Staff is available to meet with the applicant to discuss these issues.

Cc: Julie Pastor, AICP, Planning Director
Cindy Keegan, AICP, Program Manager, Community Planning, via e-mail

A24

County of Loudoun

Department of Planning

MEMORANDUM

DATE: December 14, 2006

TO: Stephen Gardner, Project Manager
Land Use Review

FROM: Michael (Miguel) Salinas, Senior Planner
Community Planning

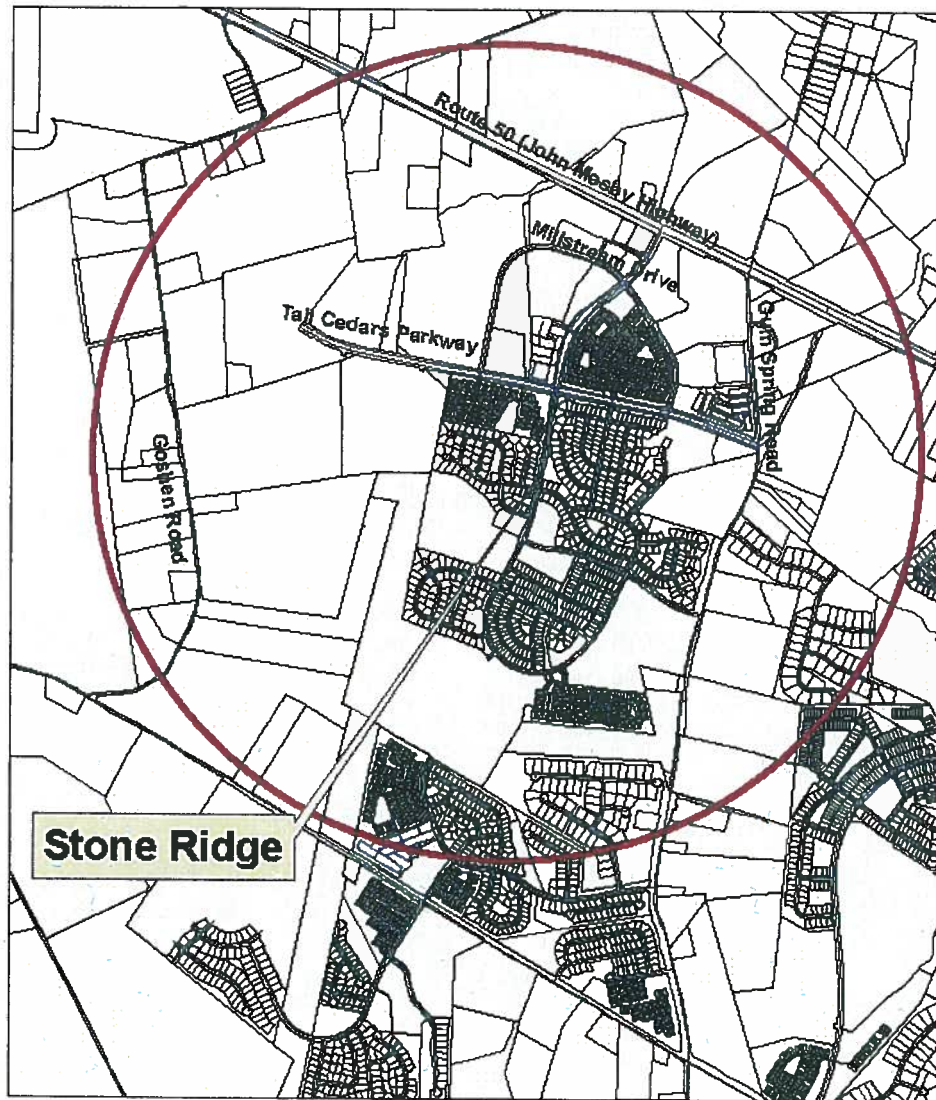
SUBJECT: ZMAP 2006-0011 and ZCPA 2006-0003 Stone Ridge Commercial, 1st Referral

BACKGROUND

Stone Ridge Community Development, LLC (the "applicant") is requesting a rezoning ("Stone Ridge Commercial") of approximately 42 acres of Land Bay DD along Millstream Drive from PD-IP to PD-OP (approximately 24 acres) and R-16 (approximately 18 acres). The rezoning of Land Bay DD would result in an additional 307 multi-family dwelling units to Stone Ridge, along the north side of Tall Cedars Parkway, with a resultant density of 16 dwelling units per acre, exclusive of Affordable Dwelling Units. The conversion would create a contiguous corridor of residential development along both sides of the parkway from Gum Spring Road to Route 659 Relocated. The applicant also proposes to add and rezone newly acquired properties at the southwest quadrant of the Gum Spring Road and Route 50 intersection and rezone said properties to reflect the applicant's proposed Gum Spring Road realignment. To compensate for the loss of employment uses by the partial conversion of Land Bay DD to multi-family residential, the applicant is proposing to amend the current proffers by increasing the maximum Floor Area Ratios (FAR) for Land Bays 7, DD1 and FF2 (Concept Development Plan, Sheet 3 of 10).

The Stone Ridge community was originally approved as a mixed-use, planned community on approximately 800 acres within the Route 50 corridor and included a core of employment-related land uses for community residents. The community is located at the southwest intersection of Gum Spring Road and Route 50 and is bisected east-west by Tall Cedars Parkway and north-south by Stone Springs Boulevard (see Location Map below). Green infrastructure elements are present on the site, including tributaries of the South Fork of the Broad Run, moderately steep slopes, forest cover, jurisdictional wetlands, and river and stream corridor resources. The site also includes a 250-foot wide, north-south overhead power and underground natural gas easement adjacent to the west boundary of Land Bay DD, the Ldn 60-65 aircraft noise contour, and the one-mile buffer of the Ldn 60-65 noise contour.

Location Map



0 1,200 2,400 4,800 Feet

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The policies of the Revised General Plan, the Dulles South Area Management Plan (DSAMP), the Revised Countywide Transportation Plan (CTP), and the Loudoun County Bicycle and Pedestrian Mobility Master Plan (Bike/Ped Plan) govern the subject site. Being the newer of the two plans, the Revised General Plan supercedes the DSAMP when there is a policy conflict between the two (Revised General Plan, text, p. 1-3). The subject site is located in the Dulles community of the Suburban Policy Area and is planned for Business land uses.

ANALYSIS

A. LAND USE

Stone Ridge was originally approved by ZMAP 1994-0017 as a planned, mixed-use, community on approximately 800 acres. The rezoning approved a maximum of 2,792 residential units, up to 347,600 sq. feet of retail, 269,800 sq. ft. of office, 2.31 million sq. ft. of light and general industry, a middle school, a County library site, and a 26-acre County park.

On December 6, 2005, the Board of Supervisors approved ZMAP 2002-0013 and ZCPA 2002-0004 ("Stone Ridge"). Approval of the application added approximately 77 acres of property to Stone Ridge, rezoned approximately 247 acres of the original property, and added 472 dwelling units (including 32 ADU's). The Stone Ridge rezoning also resulted in an amendment to the proffers that deleted the requirement to convey a 7.5 acre library site to the County and in its stead required the applicant to provide 40,000 square feet of space for the public library in an office building to be constructed by the applicant on existing Land Bay FF2.

The applicant proposes to add approximately 5.66 acres of newly acquired properties at the southwest quadrant of the existing Gum Spring Road and Route 50 intersection to the Stone Ridge community and rezone approximately 3.14 acres within that area to PD-OP and R-24 (with the remainder to stay CLI or PD-OP). The rezoned properties would be incorporated into existing Land Bays FF1 and FF2 (Concept Development Plan, Sheet 3 of 10). The applicant also proposes to rezone existing Land Bay DD (42 acres) from PD-IP to PD-OP (24 acres) and R-16 (18 acres). Land Bay DD is adjacent to the north side of Tall Cedars Parkway and is currently bisected north-south by Millstream Drive. The applicant states the rezoning of Land Bay DD is to *"provide areas for office development within Stone Ridge and to provide a multi-family land bay on the north side of Tall Cedars Parkway that will complete a corridor of compatible land uses along Tall Cedars Parkway within Stone Ridge from Gum Spring Road to Relocated Route 659"* ("Statement of Justification", p. 1). To compensate for the loss of employment uses by the partial conversion of Land Bay DD to multi-family residential, the applicant is requesting approval to amend the proffers of ZMAP 2002-0013 and

allow an increase in the maximum permitted Floor Area Ratio (FAR) for Land Bays 7, DD1 and FF2 to .40. Graphic 1 below illustrates the applicant's proposed land bays as outlined in the applicant's Concept Development Plan.

Graphic 1: Proposed Stone Ridge Land Use Bays per ZMAP 2006-0003*



* Map also shows the existing 250-wide utility easement and boundaries of the river and stream corridors

Table 1 below compares the land use mix, measured as a percentage of overall land area, which resulted from previously approved Stone Ridge rezonings versus the current application. Based on percentages, Table 1 demonstrates that approval of Stone Ridge Commercial would result in a minimal change to the overall land area dedicated to employment-related land uses and the overall land use mix of the Stone Ridge community. The approximately 2% increase in land area for residential land uses corresponds with the 2.0% decrease in office and light industrial land uses through the conversion of the approximately 18 acres of industrial-zoned property from Land Bay DD to multi-family residential (R-16). Staff, however, has identified three major land use issues of concern.

Table 1: Land Use Mix Comparison

Land Use Category	ZMAP 1994-0017		ZMAP 2002-0013*		ZMAP 2006-0003*	
	Ac.	%	Ac.	%	Ac.	%
Residential	374.3	46.8%	447.0	57.8%	465.8	60.0%
Commercial Retail	34.2	4.5%	31.0	4.0%	31.0	4.0%
Office/Light Industrial	199.2	24.9%	56.2	7.3%	41.0	5.3%
Parks/Open Space	150.3	18.8%	178.0	23.0%	178.0	23.0%
Public/Civic	42.0	5.0%	61.0	7.9%	61.0	7.9%
Totals	800.0	100%	773.2	100%	776.8	100%

*Within the Suburban Policy Area portion

First, the impact of the Stone Ridge Commercial application, and in particular the rezoning of a portion of Land Bay DD from industrial to residential, would result in continued erosion of employment-related land uses that are emphasized within the Business community policies of the Revised General Plan and the original Stone Ridge community land use mix (ZMAP 1994-0017). The applicant states that the proposed rezoning is consistent with the Suburban Policy Area land use recommendations for residential communities. The subject site, however, is planned for Business where an emphasis is placed on employment-related land uses (office & industrial) that can also feature housing, commercial/retail, public/civic uses, parks, and open space so individuals can live near where they work while also having convenient access to services, shops, and recreation (Revised General Plan, text, p. 6-20 and Planned Land Use Map, p. 7-23).

Second, the Revised General Plan stresses the importance of placing business land uses along business corridors (Revised General Plan, text and Policy 2, p. 6-20 & Policy 6, p. 4-9). Land Bay DD is located between Route 50 and Tall Cedars Parkway – a minor arterial and major collector, respectively. Any further erosion of land dedicated to employment-related land uses within the Stone Ridge community will negatively impact the County's opportunity to maximize employment opportunities for residents of Stone Ridge and the surrounding community along these business corridors.

Third, the applicant's request to increase the maximum FAR of Land Bays 7, DD1 and FF2 does not guarantee that development will build to that maximum level of intensity. The Stone Ridge community is subject to the proffers set forth in the original rezoning application (ZMAP 1994-0017) and as amended by the most recent rezoning (ZMAP 2002-0013). The proffers established maximum FAR's for certain non-residential areas of the community that were lower than the .40 FAR that is generally allowed by the County's zoning ordinance for PD-IP and PD-OP zoned property. The proffers indicate a commitment to a maximum .30 FAR for Land Bay 7, .311 FAR for Land Bay FF2, and

A.29

a .28 FAR for Land Bay DD - an average .30 FAR. Loudoun County, however, is not currently a high intensity market. The average FAR the County is experiencing is significantly less than the applicant's proposed build-out FAR of .40. As of December 2005, office and industrial zoned land along Loudoun County's business corridors are actually building at an average FAR intensity of .23 (Economic Development Market Analysis of Eastern Loudoun County Office and Industrial Land, p. 2, May 2006). If current trends hold, office and industrial development within Stone Ridge will be built to a much lower intensity. Table 2 below compares the projected square footage of employment-related land uses at build-out under the existing Stone Ridge community versus this application, based on the County's current average intensity of .23 FAR.

Table 2: Build-Out Summary

Land Use Category	Existing Totals	Proposed Totals	Total Change
Residential	3,265 Units	3,572 Units	307 Units
Single Family Detached	853 Units	853 Units	-
Multi-Family	671 Units	978 Units	307 Units
Townhouse	1,741 Units	1,741 Units	-
Office*	195,367 sq. ft.	505,002 sq. ft.	309,635 sq. ft.
General & Light Industrial*	501,742 sq. ft.	84,058 sq. ft.	(417,684 sq. ft.)
Retail	292,000 sq. ft.	292,000 sq. ft.	-
Totals**	989,108 sq. ft.	777,219 sq. ft.	(108,049) sq. ft.

*Calculations of square footage for office and industrial land bays proposed in current application are based on .23 FAR. The square footage of existing Land Bay FF2 not included with this application is based on a .311 FAR as identified in the Concept Development Plan approved by ZMAP 2002-0013.

**Totals do not include residential square footage.

Even if the applicant proffers a maximum FAR for Land Bays 7, DD1 and FF2 of .40, the historical build-out intensity of office and industrial property would likely result in Stone Ridge losing over 100,000 square feet of employment-related land uses. This will negate the applicant's efforts to mitigate their impact of reducing the land area dedicated to employment land uses within Stone Ridge by increasing the proffered FAR's. It is also important to note that smaller residential communities to the east of Stone Ridge have relied upon the community to provide employment opportunities for residents of their developments. Any change to the approved Concept Development Plan that erodes land areas dedicated to employment-related land uses within Stone Ridge will have a negative impact on surrounding residential developments.

Staff does not support any further conversion of land from employment-related land uses to residential uses within the Business community portion of Stone Ridge based on three concerns. First, the impact of the Stone Ridge Commercial application, and in particular the rezoning of a portion of Land Bay DD from industrial to residential, would result in continued erosion of employment-related land uses that are emphasized within the Business community policies of the Revised General Plan and the original Stone Ridge community land use mix. Second, further erosion of land dedicated to employment-related land uses within the Stone Ridge community will negatively impact the County's opportunity to maximize employment opportunities for residents of Stone Ridge and the surrounding community along these business corridors. Third, the applicant's request to increase the maximum FAR of Land Bays 7, DD1 and FF2 does not guarantee that development will build to that maximum level of intensity and could in fact result in the loss of over 100,000 square feet of employment-related land uses. This will negate the applicant's efforts to mitigate their impact of reducing the land area dedicated to employment land uses within Stone Ridge by increasing the maximum FAR's, will further erode employment opportunities between Tall Cedars Parkway and Route 50, and will have a negative impact on surrounding residential developments.

In addition to the fundamental land use issues related to the loss of business land areas within Stone Ridge, staff has identified additional issues related to the proposal. These issues are outlined below.

1. Compatability

Although subordinate to employment-related land uses, housing is a recommended use within areas planned for Business. Careful consideration should be given to the placement of non-residential and residential development so that potential conflicts are minimized.

One way to minimize potential land use conflicts is to utilize the County's green infrastructure to shape land uses and to structure the various elements of development (Revised General Plan, text, p. 2-5). The eastern boundary of Land Bay DD, where the applicant proposes to rezone approximately 18 acres for multi-family residential, is defined by the existence of a north-south stream corridor that includes a tributary of the South Fork of the Broad Run, 100-year floodplain, some forested vegetation, and a stormwater management pond (Existing Conditions, Sheet 4 of 10).

The proposed boundary of Land Bay DD2 for additional multi-family residential does not take into account the stream corridor. Land Bay DD is currently planned for employment-related uses and is separated from existing residential to the east by the natural stream corridor. The stream corridor is an environmental feature that can be preserved and enhanced to maintain a natural and visual buffer from differing land uses on either side of the corridor (see Existing Conditions below) and provides opportunities for linear pedestrian linkage along the corridor between Tall Cedars Parkway and Millstream Drive. Land Bay DD is also bounded on the west by an existing 250-wide easement that contains underground transmission and high-voltage power lines. The existence of the utility easement, when combined with the natural stream corridor, makes Land Bay DD ideally suited for employment-related land uses.

Graphic 2: Stream Corridor adjacent to the east boundary of Land Bay DD



In addition, the applicant's proposed placement of Land Bay DD2 is contrary to the applicant's original Statement of Justification for the original Stone Ridge application (ZMAP 1994-0017) that stated natural site characteristics and topography will be used to distribute residential density within Stone Ridge with individual neighborhoods buffered from non-residential areas by means of topographic variation, woodlands, open space and parks ("Community Planning Referral", ZMAP 2002-0013/ZCPA 2002-0004, p. 4, February 14, 2005).

The applicant's proposed Land Bay DD2, where multi-family residential is located, does not take into account the stream corridor that currently defines the separation of existing residential land uses from planned employment-related land uses, and is contrary to Stone Ridge's original intent to utilize green infrastructure to separate residential and non-residential land uses. Land Bay DD is also bounded on the west by an existing 250-wide easement that contains underground transmission and high-voltage power lines. The existence of the utility easement, when combined with the natural stream corridor, makes Land Bay DD ideally suited for employment-related land uses.

2. Land Bay Consistency

Land Bay FF2, as identified in Sheet 3 of 10 in the Concept Development Plan, does not include the remainder of Land Bay FF2 in the existing Stone Ridge community between Stone Springs Boulevard and the existing wet pond. Staff is requesting the Land Bay FF2 to be consistent with the existing Stone Ridge Concept Development Plan as approved by ZMAP 2002-0013.

Staff is requesting the applicant revise Sheet 3 of 10 in Concept Development Plan to show the boundary of Land Bay FF2 to include that portion of existing Land Bay FF2 generally between Stone Springs Boulevard and the existing wet pond, as identified in the Stone Ridge Concept Development Plan approved with ZMAP 2002-0013. All tabulation tables in the Stone Ridge Commercial application should reflect this change.

B. DENSITY

Housing densities from 8 to 16 dwelling units per acre are permitted in mixed-use business developments (Revised General Plan, Policy 1, p. 6-18). The applicant proposes 287 multi-family residential units, exclusive of Affordable Dwelling Units, on approximately 16 acres of a newly created Land Bay DD2 (Concept Development Plan, Sheet 3 of 10). The density meets the recommended density for High Density Residential land uses within the Business community.

The applicant's proposed density meets the maximum density allowed in areas planned for business land uses.

C. EXISTING CONDITIONS

The Revised General Plan defines the County's Green Infrastructure as a "collection of natural, cultural, heritage, environmental, protected, passive, and active resources that will be integrated in a related system" (Revised General Plan, Policy 1, p. 5-1). Examples of green infrastructure components include stream and river corridors, wetlands, forested areas, tree stands, steep slopes, greenways, trails, historic and archeological sites and other open spaces. Green infrastructure is the framework and unifying element that determines where and how development will occur within Loudoun County (Revised General Plan, text, p.5-1).

The applicant's Concept Development Plan shows two tributaries affecting the subject site that feed the South Fork of the Broad Run. A north-south tributary defines the eastern boundary of the applicant's proposed Land Bays DD1 and DD2. The second north-south tributary is located within Land Bay FF2 and traverses the western portion of Land Bay FF1 (Concept Development Plan, Sheet 3 of 10). The tributaries include 100-year floodplains. The subject site also includes some forest cover, moderately steep slopes associated with the South Fork of the Broad Run at the far northern portions of Land Bays 7 and DD1, and forested and emergent wetlands within Land Bays FF1 and FF2.

1. Stream Corridor

Stone Ridge is located within the Broad Run watershed and includes river and stream corridor resources (Revised General Plan, River and Stream Corridor Resources Map & Major and Sub-Watersheds Map, pp. 5-7 & 5-13). The Revised General Plan establishes stream corridor policies that reinforce the important role rivers and stream corridors play in protecting Loudoun County's water resources (Revised General Plan, text, p. 5-5 & 5-12). Stream corridor policies include the protection of rivers and streams, adjacent steep slopes, wetlands, forests, and historic, cultural and archeological resources within the floodplain, and a 50-foot management buffer adjacent to the floodplain and steep slopes (Revised General Plan, Policy 2, p. 5-6). Within the floodplain and 50-foot management buffer, uses are limited to activities that will support and enhance the biological integrity and health of the river and stream corridor, including passive and active recreation, road crossings, pervious paths and trails, and agricultural activities (Revised General Plan, Policy 18, p. 5-10).

The applicant's Concept Development Plan shows two tributaries affecting the subject site that feed the South Fork of the Broad Run. A north-south tributary defines the eastern boundary of the applicant's proposed Land Bays DD1 and DD2. The second north-south tributary is located within Land Bay FF2 and traverses the western portion of Land Bay FF1 (Concept Development Plan, Sheet 3 of 10). Emergent wetlands are also located within Land Bays FF1 and FF2 adjacent to the tributary.

The applicant's Concept Development Plan does not delineate a 50-foot management buffer along the two Broad Run tributaries. Adding the management buffer to Land Bays DD1, DD2, FF1 and FF2 will impact the land areas available for development. The stream corridor along the eastern boundary of Land Bay DD1 on the applicant's Concept Development Plan also includes a portion of the floodplain that does not extend more than 100 feet from the bank of the tributary. The narrow width of the floodplain in this section may not allow for adequate filtration to occur before stormwater runoff reaches the South Fork of the Broad Run. The Revised General Plan includes a stream corridor policy that states within areas where the 100-year floodplain does not extend beyond the bank of the stream by 100 feet, then a minimum 100-foot stream buffer will be required inclusive of the 50-foot management buffer (Revised General Plan, Policy 3, p. 5-6).

Staff recommends the applicant include river and stream corridor resources, including the 50-foot management buffer, on the Concept Development Plan. Staff also recommends the applicant provide a minimum 100-foot buffer, inclusive of the 50-foot management buffer, along segments of the tributaries where the floodplain does not extend beyond 100 feet. Last, staff recommends the applicant commit to the protection, enhancement and long-term maintenance of the stream corridors along the two tributaries.

2. Forests, Trees, and Vegetation

The Revised General Plan calls for the preservation, protection and management of forests and natural vegetation for the various economic and environmental benefits that they provide (Revised General Plan, Policy 1, p. 5-32). Staff supports the preservation of existing forest and vegetation along the tributaries to the maximum extent possible. The application's Tree Cover Exhibit (Sheet 9 of 10) indicates a mixed hardwood tree cover adjacent to segment of the Broad Run tributary on the eastern boundary of existing Land Bay DD. Staff supports the establishment of a forested buffer along the tributary and within the stream corridor in order to buffer the non-residential and residential land uses from each other and to protect the overall water quality of the Broad Run.

Staff recommends the applicant commit to protecting the overall quality of the Broad Run through the preservation of existing forest and vegetation along the tributaries of the subject site to the maximum extent possible. In particular, Staff supports the establishment of a forested buffer along the tributary and within the stream corridor adjacent to the east boundary of existing Land Bay DD in order to further buffer the non-residential and residential land uses from each other and to protect the overall water quality of the Broad Run.

3. Historic Resources

The Revised General Plan states the County will require an archeological and historic resources survey as part of all development applications and include a plan for recordation and preservation of any identified resources, along with measures for mitigation and adaptive reuse (Revised General Plan, Policy 11, p. 5-36). The applicant submitted an addendum to the report titled "Phase 1 Archeological Investigations of the 124.5 Acre Glascock Property, Loudoun County, Virginia".

Staff's review of the submitted report will be sent under separate cover.

D. CAPITAL FACILITIES

Under the Revised General Plan, all residential rezoning requests will be evaluated in accordance with the Capital Facility policies of the Plan (Revised General Plan, Policy 3, p. 3-5). The Revised General Plan calls for capital facilities contributions valued at 100 percent of capital facility costs per dwelling unit at densities above the specified base density (Revised General Plan, Proffer Guidelines, p. 11-1).

Because of the major land use issues associated with this application, Capital Facilities have not been reviewed. If this application is considered further, staff will calculate the Capital Facilities Contributions for subsequent referrals.

E. OPEN SPACE PRESERVATION PROGRAM

To achieve higher density housing, "the Board of Supervisors anticipates evidence of participation in the Open Space Preservation Program". "Land contribution on an acre-by-acre basis is desired. However, if the land offered does not suit the County in terms of quality or location, the County may consider cash in lieu of the land for the purchase of open space. The County anticipates that cash donations for open space will be spent in the Suburban Community in which the increased density is granted" (Revised General Plan, Policy 3, p. 11-3). Contributions should be provided to enable the County to purchase Suburban Policy Area open space to offset the density proposed by the development.

Because of major land use issues associated with this application, Open Space calculations have not been reviewed. If this application is considered further, Staff will recommend contributions to the County's Open Space Preservation Program for subsequent referrals.

RECOMMENDATION

Community Planning Staff is not able to support the rezoning request. Staff does not support any further conversion of land from employment to residential within the Business community portion of Stone Ridge. Any reduction of land dedicated to employment uses will further erode employment opportunities between Tall Cedars Parkway and Route 50, will have a negative impact on surrounding residential developments, and will increase the negative fiscal impacts of residential development by disrupting the residential/non-residential balance of Stone Ridge.

Staff is available to meet with the applicant to discuss these issues.

cc: Julie Pastor, AICP, Planning Director
Cindy Keegan, AICP, Program Manager, Community Planning

G:\LCG\Planning Services\Miguel\ZMAP\StoneRidgeCommercialReferral

This page intentionally left blank.

County of Loudoun
Department of Planning

MEMORANDUM

DATE: August 11, 2009

TO: Stephen Gardner, Project Manager, Land Use Review

FROM: Heidi Siebentritt, ~~Historic~~ Historic Preservation Planner, Community Information and Outreach

SUBJECT: ZMAP 2006-0011 & ZCPA 2006-0003 Stone Ridge Commercial

Background

The applicant is requesting a Zoning Map Amendment (ZMAP) to rezone approximately 68 acres of land within the Stone Ridge development. The subject portion of the Stone Ridge development is located south of Route 50 and west of the current alignment of Route 659, Gum Spring Road. The applicant is also requesting a Zoning Concept Plan Amendment to amend previously approved proffers and make changes to the approved Concept Development Plan.

Plan Compliance

The subject property is governed by the policies of the Revised General Plan and the Heritage Preservation Plan.

Analysis

A Phase 1 archaeological survey of the Dean/Burton tract was conducted in September of 2004 by KCI Technologies. This tract of land represents a portion of what is now the western portion of the Stone Ridge planned community. During the survey, a significant archaeological site was identified and designated by the Virginia Department of Historic Resources (VDHR) as site 44LD1187. The site dates to the late 18th century and is interpreted as the intact remains of an 18th century slave dwelling. Further archaeological investigation of the site (Phase 2 evaluation) concluded that site 44LD1187 is eligible for listing in the National Register of Historic Places. Intact archaeological sites associated with African American slaves in Loudoun County are not common and data from such sites are severely under-represented in both the archival and archaeological record of Loudoun County. The VDHR site form is attached for reference.

Thus, as part of the approval of ZMAP 2002-0013, Stone Ridge, the applicant proffered to conserve the site in place as part of an HOA maintained passive park.

Site 44LD1187 is located on a portion of the Stone Ridge property that is the subject of the ZCPA application (see sheets 6 and 10). During the review of ZMAP 2002-0013, staff had concerns that site 44LD1187 could be inadvertently impacted during construction of Tall Cedars Parkway and Relocated Route 659, as the site (and the passive park) is located very close to the confluence of these future road alignments. Staff continues to have concerns regarding the protection of this significant resource.

Recommendations for Amendments to Proffer Regarding Site 44LD1187

The proffer associated with the conservation of this site stipulates that protective fencing will be erected around the perimeter of the site 44LD1187 to protect the site from impacts during ground disturbing activities. Plastic, orange silt/snow fencing has typically been used to demarcate the boundaries of archaeological sites and cemeteries during construction.

The proffer currently states: *The Owner shall not disturb archeological site 44LD1187 located in Land Bay 1 and shall protect this site by placing protective fencing around the perimeter of the site at the time of commencement of construction activities within 300 feet of this site.*

Since this proffer was written, there have been numerous incidents which indicate that silt/snow fencing is not effective in protecting archaeological resources slated for conservation as part the development of a property. Such fencing is ubiquitous around construction sites and therefore does not indicate to the operators of heavy machinery that the fencing demarcates an area that must not be disturbed.

When archaeological site are to be conserved during development, staff currently requests that proffer language stipulate the use of demountable metal (chain link type) fencing to demarcate the known boundaries of the site plus an additional 100 foot buffer area to ensure that there is an adequate barrier between the site and earth moving activities. Staff recommends that the previously approved proffer related to site 44LD1187 be amended to include this specific protective fence type.

Further, staff recommends that there is some assurance that site 44LD1187 will be maintained and conserved in perpetuity under the stewardship of the HOA. Staff recommends that the applicant proffer specific language in the HOA documents stipulating that the passive park containing site 44LD1187 be left forested and that no removal of trees, clearing or grading for recreational paths, playground equipment and the like commence without prior consultation with the County Archaeologist.

cc: Michael "Miguel" Salinas, Program Manager, CIO

A.40

City/County: Loudoun

DEPARTMENT OF HISTORIC RESOURCES
ARCHAEOLOGICAL REPORT

DHR ID#: 44LD1187

DHR Site Number: 44LD1187

Other DHR Number:

Resource Name: Dean Site #2

Temporary Designation:

Site Class: Terrestrial, open air

CULTURAL/TEMPORAL AFFILIATION

Cultural Designation

African American

African American

Euro-American

Euro-American

Temporal Designation

18th Century: 4th quarter

19th Century: 1st half

18th Century: 4th quarter

19th Century: 1st half

THEMATIC CONTEXTS/SITE FUNCTIONS

Thematic Context: Subsistence/Agriculture

Example: Dwelling, multiple

Comments/Remarks:

Possible slave dwelling or tenant farm building(s).

Thematic Context: Domestic

Example: Dwelling, multiple

Comments/Remarks:

Possible slave quarters or tenant farm building(s).

Site 2 represents an early 19th century domestic site. This site possibly contains several structures. This site appears to be related to an occupation by field slaves or possibly a tenant farmer. The structure or structures located here were likely log or frame and were built to last a short period of time. No chimney ruins or foundation were observed at the site. Phase II archaeological investigation of this site is recommended to determine whether it is eligible for the National Register of Historic Places.

LOCATION INFORMATION

USGS Quadrangle(s): ARCOLA

Restrict UTM Data? No

Center UTM Coordinates (for less than 10 acres):

NAD 18/4312924/277904

NAD

ZONE

EAST

NORTH

Boundary UTM Coordinates (for 10 acres or more):

NAD

ZONE

EAST

NORTH

City/County: Loudoun

Physiographic Province:	Piedmont	Drainage:	Potomac/Shenandoah River
Aspect:	Flat	Nearest Water Source:	South Fork of Broad Run
Elevation (in feet):	330.00	Distance to Water(in feet):	500
Slope:	2-6%	Site Soils:	
Landform:	ridge	Adjacent Soils:	

SITE CONDITION/SURVEY DESCRIPTION

Site Dimensions: 200 feet by 175 feet Acreage: 0.81

Survey Strategy: Historic Map Projection
Informant
Observation
Subsurface Testing
Surface Testing

Site Condition: Intact Cultural Level
Subsurface Integrity

Threats to Resource:

Survey Description:

Field investigations consisted of the excavation of standard 30.5 cm diameter shovel test pits (STPs) in well drained soil of less than 15% slope. Vertical excavation was by natural soil horizons; excavation stopped when gleyed soils, gravel, water, or well developed B horizons too old for human occupation were reached. Shovel Tests extended at least 10 cm into sterile subsoil. Soil horizons observed at the site were classified according to standard pedological designations. All soil was screened through 1/4 inch mesh hardware cloth screens. Artifacts were bagged and labeled by shovel test number and by soil horizon. Soil profiles were drawn of representative units, with soil descriptions noted in standard soil terminology (A, Ap, B, C, etc.). Soil colors were described using the Munsell Soil Color Chart designations. All shovel test locations were mapped. The shovel tests were excavated at an interval of 50 feet, with four additional STPs placed at 25 foot intervals in cardinal directions around positive shovel tests. The testing interval was shortened to 25 feet around standing historic structures. A systematic metal detector survey was conducted in the project area. This process involved the side to side sweeping of the ground surface with the device within the STP transect grid, noting positive indications produced by the machine. A random sample of the positive strikes was excavated to provide an indication of the types of materials being detected. All of the material recovered from these excavations was bagged and labeled to indicate the location of the find in relation to the nearest STP. Surface collection was also conducted in areas that provided good ground visibility and wherever artifacts were observed.

CURRENT LAND USE

Land Use: Landscape Example: Forest Dates of Use: 2004/99/99

Comments/Remarks:
abandoned farm and pasture land

SPECIMENS, FIELDNOTES, DEPOSITORIES

Specimens Obtained? Yes Specimens Depository: KCI Technologies, Inc - Mechanicsburg, PA

City/County: Loudoun

Assemblage Description:

STP 242, Ap - 1 sherd redware, rim
STP 242 C (25S), Ap - 1 sherd refined white earthenware, blue decoration
STP 271 B, Ap - 1 pearlware
STP 271 E, Ap - 1 redware
STP 271 F, Ap - 1 redware
STP 271 G, Ap - 1 redware
STP 273, Ap - 1 redware, glazed, neck/lip (jug)
1 pearlware, handpainted
3 creamware
1 salt-glazed stoneware
1 window glass
STP 273 B, Ap - 1 pearlware
STP 273 C, AP - 2 refined white earthenware, transfer printed blue
STP 273 D, Ap - 1 pearlware
STP 273 E, AP - 1 redware
2 creamware
1 pearlware
1 shell-edged pearlware, blue
1 green bottle glass
1 refined white earthenware
STP 273 H, Ap - 1 pearlware, handpainted
1 dark amber bottle glass
1 dark green bottle glass
STP 273 I, Ap - 2 whiteware
1 pearlware, handpainted
1 bone
STP 273 J, Ap - 1 pearlware
1 green container glass
MD 1 2 cut nails, L-headed
1 cast iron
MD 2 2 redware
1 pearlware
1 wrought nail
2 cut nails
MD 3 1 cut nail
1 ferrous metal ring
MD 4 1 redware
1 wrought nail
1 cut nail
1 C-shaped ferrous metal
MD 5 1 thin brass ring
1 unidentified item
MD 6 1 cast iron pot fragment
MD 7 1 cut nail
MD 8 1 wrought nail
MD 9 1 clinched cut nail
MD 10 2 cut nails

Surface 12' E of STP 27 1 panelled embossed aqua bottle glass
1 green/blackglass

Surface 40' W of STP 266 1 cast iron pot fragment

Specimens Reported? No

Assemblage Description--Reported:

Field Notes Reported? Yes

Depository: KCI Technologies, Inc. - Mechanicsburg, PA

City/County: Loudoun

REPORTS, DEPOSITORY AND REFERENCES

Report (s) ? Yes Depository: DHR/KCI Technologies, Inc

DHR Library Reference Number: LD-258

Reference for reports and publications:

Clem, Michael. Phase I Archaeological Survey of the Dean/Burton Parcel, Loudoun County, Virginia. September 15, 2004. Prepared for Stone Ridge Community Development, LLC.

Report (s) ? Yes Depository: DHR

DHR Library Reference Number: LD-261

Reference for reports and publications:

2004. Klem. A Phase II Archaeological Investigation of 44LD1187, an Historic Domestic site in Loudoun County, Virginia.

PHOTOGRAPHIC DOCUMENTATION AND DEPOSITORY

Photographic Documentation?	Depository	Type of Photos	Photo Date
	KCI Technologies, Inc	35mm Color Print	2004/09/01

CULTURAL RESOURCE MANAGEMENT EVENTS

Cultural Resource Management Event:	Survey:Phase I/Reconnaissance	Date: 2004/09/01
-------------------------------------	-------------------------------	------------------

Organization and Person:

Organization: First: Michael Last: Clem

Sponsor Organization:

DHR Project Review File No:

CRM Event Notes or Comments:

KCI Technologies, Inc
5001 Louise Dr. Suite 201
Mechanicsburg, PA 17055

Cultural Resource Management Event:	DHR Staff: Eligible	Date: 2007/01/19
-------------------------------------	---------------------	------------------

Organization and Person:

Organization: First: Last:

Sponsor Organization:

DHR Project Review File No:

CRM Event Notes or Comments:

City/County: Loudoun

NATIONAL REGISTER ELIGIBILITY RATING SHEET

ARCHEOLOGICAL SITE INVENTORY NUMBER: 44LD1187 Site Name (If available):

ASSOCIATED WITH ARCHITECTURAL INVENTORY FILE NUMBER:

DATE RATED: 19 January 2007

REASON for COMMITTEE OPINION: Requested by VDOT

DOCUMENTATION: A Phase II Archaeological Investigation of 44LD1187, an Historic Domestic Site, in Loudoun County, Virginia (KCI 2004)

A. CATEGORIES

VDHR Theme(s): Settlement Patterns, Minority Occupation

NRHP Property Type: Archaeological site

Period(s) of Significance: 1800-1850

Area(s) of Significance: Historic Archaeology

B. NRHP CRITERIA

Criterion A:

Criterion B:

Criterion C:

Criterion D: X

C. LEVEL OF SIGNIFICANCE: ☒ Local ☐ State ☐ National

D. ASSIGNMENT of BASIC POINTS

1. Representation in archeological data base (1 to 10) 6
2. Integrity a. Horizontal (1 to 10) 6
b. Vertical (1 to 10) 5
3. Research Potential (1 to 20) 12
4. Unusually good representative of type (1 to 3) 0
5. Illustrates history/Cultural minorities (1 to 3) 1
6. Offers Exceptional Potential for Study and Interpretation (1 to 3) 0

TOTAL POINTS: 30

RECOMMENDATION: ☒ ELIGIBLE ☐ NOT ELIGIBLE ☐ INSUFFICIENT INFO

DHR CONCURRENCE: ☒ YES ☐ NO

COMMITTEE MEMBERS PRESENT: ERE KE RWK JLW

City/County: Loudoun

JUSTIFICATION: Site represents the remains of a dry-laid stone foundation and associated artifact assemblage, ca. late 18th – early 19th C. May represent a slave occupation followed by a tenant – the assemblage includes mostly utilitarian wares with a few “luxury” items, indicating a low- to moderate-status occupant. Several varieties of stone- and earthenwares, including pearlware, creamware, and delftware, as well as cut and wrought nails, soda and potash windowpane sherds, pipe fragments, buttons, and a haircomb were recovered. Based upon the presence of an intact foundation feature and a fairly confined period of occupation this site is recommended as eligible for inclusion in the National Register.

INDIVIDUAL/ORGANIZATION/AGENCY INFORMATION

Individual Category Codes:

Honorif: First: Last:

Suffix:

Title:

Company/

Agency:

Address:

City:

State:

Zip:

Phone/Ext:

Notes:

Ownership Type: Private

Government Agency:


City/County: Loudoun

This page intentionally left blank.

COUNTY OF LOUDOUN
DEPARTMENT OF BUILDING AND DEVELOPMENT
MEMORANDUM

DATE: July 24, 2009

TO: Stephen Gardner, Project Manager, Department of Planning

FROM: Val Thomas, Planner, Zoning Administration 

THROUGH: Mark Stultz, Assistant Zoning Administrator 

CASE NUMBER AND NAME: ZMAP 2006-0011 & ZCPA 2006-0003; Stone Ridge Commercial; 3rd Referral

Building and Development Zoning Staff has reviewed the above revised referenced rezoning (ZMAP) and zoning concept plan amendment (ZCPA) application for conformance with the applicable requirements of the *Revised 1993 Loudoun County Zoning Ordinance* ("the Ordinance") and has the following additional comments:

1. The Applicant is proposing to rezone 6.38 acres from PD-IP to R-24 zoning district (Land Bay 6). Pursuant to Section 3-702 (A), the R-24 zoning district must be located in areas abutting arterials and major collector roads. The proposed district is not located adjacent to any road. Therefore, Staff cannot support this proposed zoning change.
2. Pursuant to Section 3-708(C), a minimum common open space buffer of fifty feet in depth with a Category 2 Buffer Yard shall be provided where a development adjoins an existing or planned residential district, land bay or development which has a minimum allowable lot size of 8,000 square feet or greater. Such buffer may be included in open space calculations. Demonstrate conformance with this requirement of the Ordinance for Land Bay 6 (proposed R-24).
3. Pursuant to Section 3-702, the R-24 zoning district shall be located with pedestrian linkages to planned or existing employment centers, shopping or other community support services. Demonstrate conformance with this section of the Ordinance. In addition, this Section also requires that the district is served or planned to be served by public transit or designated for public transit in the Comprehensive Plan.
4. With regard to Section 3-708 (B), as no detailed layout is provided with this application, Staff cannot evaluate conformance with this section of the Ordinance at this time. Staff asks that either detail drawings be submitted with this application, or provide a note that this requirement will be evaluated at the time of site plan.

5. The Applicant is proposing to rezone a portion (2.9 acres) of MCPI # 204-26-3927 from R-16 to PD-CC(SC) and depict this as Land Bay EE1A on the CDP (Sheet 5). It should be noted that the minimum size required for a PD-CC(SC) zoning district is 20 acres. Therefore, the appropriate zoning district should be PD-CC(NC) which requires a minimum of 1.5 acres and a maximum of 6 acres of land. Staff notes that this zoning district does allow for a commuter parking lot use by right, although if this is the only use proposed in the zoning district, a special exception approval will be required. Please note that staff has not review conformance with the additional regulations of the PD-CC(SC) zoning district for this land bay, since the proposal does not meet the minimum required size of the district. It should be noted however, that the PD-CC(SC) zoning district also requires access to a major collector road and Millstream Drive is not a major collector road.
6. The Applicant is proposing to rezone 2.9 acres of MCPI #204-26-3927 from PD-CC(SC) to R-16 zoning district and depict this as Land Bay EE2A on the CDP (Sheet 5). Pursuant to Section 3-602, the R-16 zoning district shall be mapped only in locations in close proximity to arterials or major collector roads; with pedestrian linkages to nearby established or planned employment centers, shopping or other community support services; consistent with the Comprehensive Plan; and planned or served by public transit or designate for public transit in the Comprehensive Plan. Demonstrate conformance with this section of the Zoning Ordinance.
7. Provide the active recreation space tabulation for Land Bay EE2A on the CDP (Sheet 5).
8. On Sheet 5, in the *Zoning Tabulation* for Land Bay EE2A, include the maximum units per Building as stated in Section 3-607(C).
9. Pursuant to Section 3-608(C), a minimum common open space buffer of fifty feet in depth with a Category 2 Buffer Yard shall be provided where a development adjoins an existing or planned residential district, land bay or development which has a minimum allowable lot size of 8,000 square feet or greater. Such buffer may be included in open space calculations. Demonstrate conformance with this requirement of the Ordinance.
10. With regard to Section 3-608 (B), as no detailed layout is provided with this application, Staff cannot evaluate conformance with this section of the Ordinance at this time. Staff asks that either detail drawings be submitted with this application, or provide a note that this requirement will be evaluated at the time of site plan.
11. On the CDP, clarify and label the "public use" proposed for Site #3 in Land Bay. The Statement of Justification states that the application propose public use sites for an additional commuter parking facility and fire and rescue station and the comment response note that the Public Use Site #3 in Land Bay 7 is the site for a future fire and rescue station. Clarify the location of the commuter site on the CDP. Please note that the PD-IP zoning district list commuter parking as a permitted use, and fire and rescue station as a special exception use. If the public use is for a fire and rescue station, and a special exception will be filed at a later

A50

date, include a note to that effect on the CDP and label the fire/rescue use on the CDP.

12. Zoning defers to Community Planning to determine if the proposed PD-OP zoning district along Route 50 (Land Bay FF2B) is compatible with the Comprehensive Plan (Section 4-302(D)).
13. A minimum yard of 15 feet is required adjacent to the CLI zoning district (and Land Bay FF2B) pursuant to Section 4-305(B)(3). Depict this requirement on the CDP (Sheet 5) adjacent to the CLI zoning district to the east (MCPI # 204-39-8271).
14. Staff cannot evaluate compliance with Sections 4-307 as no detailed plan or illustrative is submitted for this application. Staff asks that the Applicant provide a detailed illustrative of the proposed design of the PD-OP district and demonstrate how such design conforms to the requirements of the ordinance.
15. Pursuant to Section 5-1406(E), a Type 5 Buffer Yard is required for any property adjacent to Route 50 (between Fairfax County line and Lenah Farm Lane on the north and Lenah Road on the south side). Depict such required buffer Type along Route 50 on the CDP.
16. Pursuant to Section 4-305(B) of the ordinance, No building, outdoor storage, areas for collection of refuse, or loading area shall be permitted closer than (100) feet to any agricultural district, any existing or zoned residential district, or land bay allowing residential uses. No parking shall be permitted closer than fifty (50) feet to any such area. Therefore, a minimum yard of 100 feet adjacent to the R-24 zoning district (and Land Bay FF1A) to the south side is required. Please depict this required yard on the CDP.
17. The area of land between Land Bay 5R and 6 (Stone Carver Road) is proposed to be vacated. Please clarify if this area is included and counted in the calculation of open space. Staff also asks that the Applicant clarify regarding similar areas between other land bays as well.
18. On Sheet 4 (Land Bay 5R), the Applicant notes a 36 foot high noise buffer adjacent to Tall Cedars Parkway. It is not clear if this is what the Applicant intends to provide. Pursuant to approved Proffer V.I.E., a 36 foot wide buffer yard measured from the edge of dedicated right-of-way, a six foot high fence and Type 1 rear buffer yard plantings are required along Tall Cedars Parkway. Please depict this requirement along Tall Cedars.
19. On the CDP (Sheet 5), clarify that Land Bay 5R is proposed to rezone to PDH-4 administered as R-8 to avoid confusion, since there are other land bays that are proposed as straight residential (R) districts.
20. As depicted on the CDP, there are areas between land bays that are not part of any land bay. Staff questions if all those areas are included towards open space. To avoid confusion, staff recommends that those areas be consolidated into open space Land Bays like Land Bay ZZ (shown on the CDP).
21. Staff questions if the area between Land Bay 6 and Land Bay 5R is proposed to be open space

when the road is vacated. It appears that currently it is proposed to be included in neither of the two land bays.

22. On Sheet 5 (CDP) Land Bay EE2A is shown as subject to ZCPA. However, on Sheet 3 it is
23. depicted that 2.1 acres of this land bay is proposed to be rezoned from PD-CC(SC) to R-16. The legend needs to be corrected on both sheets to indicate that this land bay is subject to both ZMAP and ZCPA.
24. On Sheet 4 of the rezoning plans, in the Zoning Modification section, please correct the reference from PD-SC to PD-CC(SC) zoning district, as this is the correct zoning district.

Proffers:

1. With regard to the Preamble in paragraph 2, Staff asks the Applicant to include the Land Bays associated with the zoning districts for ease of clarification.
2. The proffers for the library site are being amended, but the rezoning plan sheets do not indicate this. Clarify on the Certified Plat (Sheet 3) that the library site is included in the ZCPA application.
3. The proffers pertaining to the middle school site are also being amended. Please depict this on the Certified Plat and include the school site in the description of the property.
4. In the Proffer Statement (redlined version), staff recommends that for any proffer that is proposed to be amended, the whole proffer is include, and not just the paragraph that is proposed to change. This enables staff to review the proffer in its entirety.
5. With regard to Proffer III.G.4, the Applicant is proposing conveyance of a commuter parking lot in land zoned PD-IP (Public Use Site #4). However, in the CDP (Sheet 5), the Public Use Site is shown on Land Bay EE1A which is proposed to be rezoned to PD-CC(CC). Correct/clarify this inconsistency.
6. In the preamble, paragraph 2, line 10 (redlined version), the Applicant should clarify the proposed rezoning to PD-H4 will be administered as R-8, as it is confusing and appears that the PD-H4 proposed zoning will be administered as R-24. When the intent is to propose rezoning to PD-H4 and R-24 zoning districts.
7. In the Preamble, paragraph 2, the Applicant should include that it is requesting zoning ordinance modification for the PDD-CC(CC) zoning district.
8. Correct Proffer I.A. to indicate that the LCSA site pin number is shown on Sheet 2, not Sheet 4 of the CDP.
9. With regard to Proffer I.A. it is not clear if the intent is to proffer 94 residential units or, in the

event that other non-residential use is located on the site, then there will be no residential units in Land Bay 1. As currently written, the proffer is confusing. Clarify.

10. With regard to Proffer 1.c.1.a., the Applicant implies that there will be 6 ADU proposed in Land Bay EE2A, while Note #1 on Sheet 4 does not reference this Land Bay for ADU. Correct/clarify this inconsistency.
11. With regard to Proffer 1.E.1., it appears that a paragraph is missing that explains the proposed use, square footage etc of Land Bay 7. Clarify.
12. With regard to Proffer II.B.7., the Applicant notes that no more than 300 residential zoning permits within combined Land Bays 1, 2, 3, 4 and 5R may be issued prior to the construction of the improvements located listed in Phase III.B of Exhibition B. However, Land Bays 2, 3, 4 and 5R are capped at 289 units. Considering the statement in Proffer I.A., Land Bay 1 may never be developed with residential units, in which case the 300 unit trigger will never be reached. Please revise this Proffer to ensure that the improvements in Phase III.B. are met through the phasing plan.
13. With regard to Proffer III.B.3, the Applicant is subjecting this new proffer and tying it to developments in Land Bays 2, 3 and 4, which are not included in this application. Please include these land bays with this ZCPA application.
14. With regard to the library site Proffer III.C., there are two timing trigger – one prior to the 1601st residential zoning permit, and the other, a date certain of June 30, 2011. Staff questions if there is a potential conflict with the two timings.
15. With regard to Proffer III.B.4., Staff questions if the land referenced here should be included in the ZCPA application, since this a new proffer added with this application.
16. With regard to Proffer VI.G., “Tree Conservation Areas”, Staff recommends that the Applicant include paragraphs 2 and 3 to the proffer for ease of review and reference.

Section 6-1504, Zoning Modifications:

(i) Proposed Modification - The Applicant has requested a modification of Section 3-509 (C) *Additional Development Standards*, to permit a permanent open space buffer of at least 10 feet in width, landscaped with a Type 1 Side Yard Buffer in the PD-H4 Land Bay 5R along the perimeter with R-24 Land Bay 6, planned for multi-family units.

Applicant's Justification – The Applicant states that the modification is justified in that a Type 1 Buffer Yard of between 10 and 25 feet in width is the standard buffer yard requirement between single-family attached and multi-family residential use and that the planned density for Land Bay 6 is less than one unit per 6000 square feet. Further, both Land Bays 5R and 6 are integrated components of the Stone Ridge and share in the various community amenities provided in Stone Ridge.

Staff comment –The Zoning Ordinance requires that a minimum permanent open space of 50 feet with a Type 2 Buffer Yard is required between Land Bay 6 and Land Bay 5R. It is not clear how the proposed modification to reduce the permanent open space to 10 feet with a Type 1 buffer, will achieve an innovative design, improve upon the existing regulations, or otherwise exceed the public purpose of the existing regulations. Staff asked the Applicant to address this, and to include materials demonstrating how the modification will be used in the design of the project. Further, Staff asks that the Applicant provide an exhibit to depict the location and extent of the modification request. Staff cannot support the modification request at this time.

(ii) Proposed Modification - The Applicant has requested a modification of Section 4-110 (I) *Site Planning –Internal Relationships*, to permit a permanent open space buffer of at least 10 feet in width, landscaped with a Type 1 Side Yard Buffer in the PD-H4 Land Bay 5R along the perimeter with R-24 Land Bay 6, planned for multi-family units.

Applicant's Justification – See (i) above.

Staff comment – See (i) above.

(iii) Proposed Modification - The Applicant has requested a modification of Section 4-205 *Lot Requirements*, Subsection (C) (1) *Yards - Adjacent to Roads*, to allow for a minimum yard of 25 feet adjacent to Millstream Drive.

Applicant's Justification – The Applicant states that the modification is justified in that it will facilitate the design and implementation of a proffered commuter parking facility (Public Use Site #4) while maintaining a yard adjacent to Millstream Drive wide enough for landscaping to screen the parking lot.

Staff comment –The Zoning Ordinance (Section 4-205(C)(1)) states “...No building, parking, outdoor storage areas for collection of refuse or loading areas shall be permitted closer than (35) feet to any road right-of-way, except as provided in Section 4-296(E). No parking, outdoor storage, areas for collection of refuse or loading space shall be permitted in areas between buildings and streets where such uses are visible from any road.” The Applicant is proposing to reduce this setback to 25 feet. It is not clear how the proposed modification to reduce the setback to 25 feet, will achieve an innovative design, improve upon the existing regulations, or otherwise exceed the public purpose of the existing regulations. Staff further notes that adjacent land Bay DD maintains a setback of 35 feet. Staff asked the Applicant to address this and cannot support the modification request at this time.

(iv) Proposed Modification - The Applicant has requested a modification of Section 4-205 *Lot Requirements*, Subsection (C) (2) *Yards, Adjacent to Agricultural and Residential Districts and Land Bays Allowing Residential Uses*, to allow for a minimum perimeter yard of 20 feet and a Type 3 buffer adjacent to the R-16 district.

Applicant's Justification – The Applicant states that the modification is justified in that it will facilitate the design and implementation of a proffered commuter parking facility (Public Use Site

#4) while providing for increased landscaping to screen the adjacent residential area.

Staff comment –The Zoning Ordinance (Section 4-205(C)(2)) states “....No building, parking, outdoor storage areas for collection of refuse or loading areas shall be permitted closer than (100) feet to any agricultural districts, any existing or planned residential district, or land bays allowing residential uses. No parking, outdoor storage, areas for collection of refuse or loading space shall be permitted in areas between buildings and such agricultural districts, existing or planned residential districts, or land bays allowing residential uses where such uses or areas are visible from said agricultural and residential areas.” The Applicant is proposing to reduce this setback to 20 feet. The Applicant states that the modification will facilitate design and implementation of the commuter parking facility. Staff questions the extent and location of the proposed modification and asks that the Applicant provide further clarification. Again, it is not clear how the proposed modification to reduce the setback from 100 feet to 20 feet, will achieve an innovative design, improve upon the existing regulations, or otherwise exceed the public purpose of the existing regulations. Staff asked the Applicant to address this and cannot support the modification request at this time.

(v)) Proposed Modification - The Applicant has requested a modification of Section 4-505 *Lot Requirements*, Subsection (B) (2) *Yards - Adjacent to Agricultural and Residential Districts and Land Bays Allowing Residential Uses*, to allow for buildings and parking in the PD-IP zoning district (Land Bay DD) to be located no closer than fifty feet to the PD-H4 zoning district in Land Bay 5R and twenty-five feet to the R-24 zoning district in adjacent Land Bay 6.

Applicant's Justification – The Applicant states that the modification is justified in that it will facilitate the design and implementation of PD-IP uses while providing for increased landscaping to screen the adjacent residential areas, which will also have their own landscape buffer yards adjacent to the PD-IP land bay.

Staff comment –The Zoning Ordinance (Section 4-505(B)(2)) states “....No building, outdoor storage, areas for collection of refuse, or loading area shall be permitted closer than (75) feet to any agricultural district, any existing or zoned residential district, or land bay allowing residential uses. No parking shall be permitted closer than 60 feet to any such districts and uses.....” With this application, the Applicant is proposing a rezoning of a portion of approved Land Bay DD (PD-IP) to PD-H4 and R-24 zoning districts to allow for a transfer or relocation of residential units from the western side of the power line easement to the eastern side to consolidate residential units to create a cohesive residential community along this portion of the development. The Applicant is also proposing a Type 3 Buffer Yard of twenty-five feet in width supplemented to include 8 evergreen trees per linear feet to be maintained within Land Bay DD adjacent to Land Bays 5R and 6. Staff can support this modification request.

This page intentionally left blank.

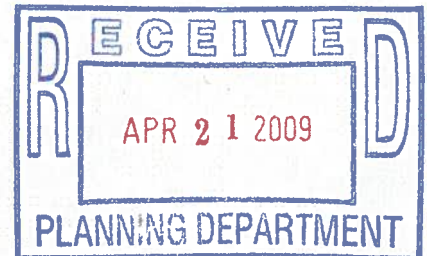
COUNTY OF LOUDOUN
DEPARTMENT OF BUILDING AND DEVELOPMENT
MEMORANDUM

DATE: April 15, 2009

TO: Stephen Gardner, Project Manager, Department of Planning

FROM: Val Thomas, Planner, Zoning Administration *HT*

THROUGH: Mark Stultz, Assistant Zoning Administrator



CASE NUMBER AND NAME: ZMAP 2006-0011 & ZCPA 2006-0003; Stone Ridge Commercial; 2 nd Referral

TAX/MAP PARCEL NUMBERS/PROPERTY INFORMATION:

Owner	Tax Map	Pin Reference	Acreage	Current Zoning	Proposed Zoning
Stone Ridge Community Dev. LLC	100/37 (part)	205-36-2224	96.92	PD-H4, PD-OP R-24 & CLI, A-I, FOD	PD-OP, CLI, R-24, PD-H4, A-I, FOD
Stone Ridge Community Dev. LLC	100/51	204-35-8501	24.74	PD-IP/A-I/FOD	PD-IP, R-16 & PD-H4, A-I, FOD
Stone Ridge Community Dev. LLC	100/54A (ZCPA only)	247-28-4151	94.15	TRI-UBF, FOD, A-I	TRI-UBF, FOD, A-I
Stone Ridge Community Dev. LLC	100((7))/S23 (ZCPA only)	204-26-3927	15.63	R-16, A-I, FOD	R-16, A-I, FOD
Stone Ridge Community Dev. LLC	100/61A	204-46-2760 (part)	35.82	PD-IP, R-16, PDCC-SC, FOD, A-I	PD-IP, PD-H4, R-16, FOD, A-I
Stone Ridge Community Dev. LLC	100/A	247-20-9549	27.39	PD-H4, PD-IP, A-I, FOD	PD-H4, PD-IP, FOD, AI
Stone Ridge Community Dev. LLC	100/50	204-47-0343 (part)	8.69	PD-IP, A-I, FOD	CLI, PD-IP, FOD, A-I

A57

I. APPLICATION SUMMARY:

Building and Development Zoning Staff has reviewed the above referenced rezoning (ZMAP) and zoning concept plan amendment (ZCPA) application for conformance with the applicable requirements of the *Revised 1993 Loudoun County Zoning Ordinance* ("the Ordinance"). The applicant, Stone Ridge Community LLC ("the Applicant") seeks approval to rezone and replan approximately 77 acres of land from various zoning districts to other zoning districts as noted in the above table. The proposal for this application is to; 1) rezone approximately 50 acres from PD-H4, R-24, and PD-IP zoning districts to PD-H4, R-16, PD-OP, PD-IP and CLI zoning districts; 2) relocate and consolidate previously approved residential and non-residential uses; and 3) to accommodate the realignment and extension of South Point Drive (formerly Canary Grass Drive) to Gum Spring Road (Route 659). In conjunction with the proposed rezoning, the applicant proposes to amend certain elements of the previously approved proffers and concept plan to reflect the proposed zoning district changes, to relocate previously approved recreational amenities, and to realign certain internal streets. The zoning concept plan amendment includes the alteration of the alignment of Millstream Drive and South Point Drive (South Point Drive is now proposed to extend to Gum Spring Road), the relocation of previously approved community centers to Land Bay FF1A and Land Bay 5R, revision of the proffers to allow for permitted uses other than residential in the TR-1 zoning district, and a date certain of June 30, 2011 for the delivery of the 40,000 square foot library in Land Bay FF2A. Although the residential units approved for Stone Ridge is not proposed to increase, the Applicant is proposing an additional 2,400 square feet of non-residential floor area.

The property is generally located on the south side of Route 50, west of Gum Spring Road (Route 659) and north of Tall Cedars Parkway.

The materials submitted for review of the application consist of: (1) Information Sheet; (2) Stone Ridge Zoning Map Amendment Plan ("the plan") consisting of the Cover Sheet (Sheet 1), Certified Plat (Sheets 2 & 3), Concept Development Plan (Sheets 4 & 5), Existing Conditions (Sheets 6 & 7), Soils Map (Sheet 8 & 9), Illustrative/Traffic & Pedestrian Circulation Plan (Sheets 10 & 11), Land Use Map (Sheets 12 & 13), Tree Cover Narrative (Sheet 14), and Miscellaneous Details (Sheet 15) dated April 7, 2006 revised through January 27, 2009; (3) Statement of Justification revised January 27, 2009; (4) Response Letter dated January 27, 2009; and (5) Draft Proffers dated January 27, 2009.

Based upon a review of the application, Zoning Staff offers the following comments:

II. CONFORMANCE WITH §6-1211 ZONING MAP AMENDMENTS

This section of the Ordinance requires the Planning Commission to give consideration to certain criteria, for which Zoning has the following comments. Unless the factor is specifically addressed below, Zoning defers to the appropriate County or State Agency for comment:

A58

1. SECTION 6-1211(E)1 - *Whether the Proposed Zoning District Classification is consistent with the Comprehensive Plan* – Zoning defers to Community Planning for comments but note that the Applicant is proposing an increase in non-residential for 2,400 square feet. The cumulative impact of the existing and proposed developments in the surrounding area must be taken into consideration, especially with regard to the impact on the Route 50 corridor and surrounding road network.
2. SECTION 6-1211(E)4 - *Whether adequate utility, sewer and water, transportation, school and other facilities exist or can be provided to serve the uses that would be permitted on the Property if it were rezoned* - Staff defers to Community Planning and OTS (Office of Transportation) for comment on this. Further, Staff defers to other referral agencies such as Loudoun County School Board, Library Services, Parks and Recreation to comment on the adequacy of schools and other facilities for the development.
3. Section 6-1211(E)(6) - *The effect of uses allowed by the proposed rezoning on the structural capacity of the soils.* According to County Records, hydric soils (types 66A and 69A) are present in the rezoning area and the applicant has identified wetland areas. Hydric soils have a very poor potential for general development of central water and sewer. Development of the site should consider these areas with respect to grading and the construction of buildings and infrastructure.
4. SECTION 6-1211(E)7 – *The impact that the uses that would be permitted if the property were rezoned will have upon the volume of vehicular and pedestrian traffic and traffic safety in the vicinity and whether the proposed rezoning uses sufficient measures to mitigate the impact of through construction traffic on existing neighborhoods and school areas* – It is noted that increasing the density through the rezoning process to allow an additional 2,400 square feet non-residential to be built on the property will increase the volume of traffic in the vicinity. Based on a review of the Traffic and Pedestrian Circulation Plan (Sheets 10 and 11) it appears that most of the construction traffic will utilize Stone Springs Boulevard, Millstream Drive and South Point Drive to access the property. Staff would therefore recommend more specific measures to mitigate the impact of construction traffic on the surrounding area. Limiting the hours during which construction traffic may enter and exit the site is one measure. The applicant should also address how construction traffic will enter and exit the property during construction.

Zoning Staff further defers to OTS and VDOT for comments on the impact of the rezoning proposal on the volume of vehicular and pedestrian traffic and traffic safety in the vicinity.

5. SECTION 6-1211(E)9 - *The effect of the proposed rezoning on environmentally sensitive land or natural features, wildlife habitat, vegetation, water quality and air quality.* The site contains areas of major and minor floodplain and wetlands. Where floodplain areas are impacted, the Applicant will be required to meet the standards

of § 4-1500 of the Zoning Ordinance. The requirements of the U.S. Army Corps of Engineers will also need to be met with regard to wetlands. Zoning encourages the preservation of all existing wetlands and riparian corridors whenever possible. The property also has areas of existing tree cover on the site that includes mixed hardwood and staff encourages utilization of existing vegetation when providing any required planting. Staff recommends that the Applicant identify areas of existing vegetation that will be preserved, and show such areas on a proffered plan. See the attached ERT (Environmental Review Team) referral for comment on the impact to the environment or natural features, wildlife habitat, vegetation, water quality and air quality.

III. CONFORMANCE WITH PD-H4 ZONING DISTRICT (4-100)

The rezoning plan set should state in the Notes section, that Land Bay 5R and portion of Land Bay ZZ will be rezoned from PD-IP to PD-H4 and will be developed in accord with all regulations for the PD-H4 Zoning Districts of the *Revised 1993 Loudoun County Zoning Ordinance*. Staff notes that Land Bay 5R is proposed to be administered as R-8 (ADU). All subsequent Subdivision Plans or Site Plans must show how the PD-H4 zoning district requirements are met.

1. Please note that Tall Cedars is a public road and has no zoning designation. As such, please remove the proposed zoning for Tall Cedars.
2. The minimum amount of land required to rezone to a PD-H4 district is 25 acres. The Applicant is proposing to rezone approximately 15.7 acres to PD-H4 district. However, there are adjacent parcels that are zoned PD-H4 and therefore the proposal may be approved as a logical extension of the existing PD-H4 district and pursuant to Section 6-1500 of the Ordinance. Staff however asks that the Applicant address the requirement of Section 4-103 of the Ordinance, *Timing of Development*.
3. Pursuant to Section 4-110(I), there is a requirement of either, single family dwellings on minimum lots of 20,000 square feet or greater, OR, a permanent open space buffer of 50 feet, with a Type 2 Buffer Yard, along the perimeter of the proposed PD-H4 with adjacent residential land bays or districts. Please demonstrate conformance with this requirement. If providing the 50-foot permanent open space with a Type 2 Buffer Yard, depict this on the CDP adjacent to the R-16 district on the east and north.
4. On the CDP, note the minimum requirement of 30% open space for the PDH district (Section 4-111(A)). Also depict the proposed open space for the same.
5. As no detailed layout is provided at this time, the requirement of Section 4-110, *Site Planning - Internal Relationship*, cannot be evaluated at this time. The Applicant should demonstrate conformance with this section of the Ordinance at the time of site plan.

A60

6. Include proposed Land Bay ZZ (MCPI # 204-46-2780) in the Density Exchange Table on Sheet 5. Staff recommends separating Land Bay ZZ to the south and north of Millstream Drive. Do not include the road in the calculation of open space.

IV. CONFORMANCE WITH R-8 DISTRICT (§3-500) & (§7-800)

The rezoning plan set should state in the Notes section, that Land Bay 5R and portion of Land Bay ZZ will be developed in accord with all regulations for the R-8 Zoning Districts of the *Revised 1993 Loudoun County Zoning Ordinance*. All subsequent Subdivision Plans or Site Plans must show how the R-8 zoning district requirements are met.

1. On Sheet 5, the Applicant has depicted the lot requirements for the R-8 district pursuant to Section 7-800. Section 3-500 should also be added, as there are requirements of this section that apply.
2. On the CDP, depict the Lot and Building requirements of the R-8 ADU Section 7-803, such as lot size, lot width, yards and lot coverage.
3. On the CDP, correct the minimum required amount of active recreation space to 14,000 square feet. Also denote the proposed amount of active recreation space for this district and depict the location and type of such active recreation space. Demonstrate that such active recreation space is accessible to all residents by means of internal pedestrian walkways (7-803(E)).
4. On the CDP, depict the building requirements of the R-8 district pursuant to Section 3-508.
5. On Sheet 5, depict the maximum length/width ratio as required by Section 3-506(D).
6. Clarify that Land Bay EE2 to the east and Land Bay 6 to the north are not proposed for minimum allowable lot size of 6,000 square feet or greater. Otherwise a permanent common open space buffer of 50 feet in depth with a Category 2 Buffer Yard must be provided (Section 3-509(C)) adjacent to those land bays.

V. CONFORMANCE WITH R-16 DISTRICT (§3-600) & (§7-900)

The rezoning plan set should state in the Notes section, that Land Bay 6 and a portion of Land Bay ZZ will be developed in accord with all regulations for the R-16 Zoning Districts of the *Revised 1993 Loudoun County Zoning Ordinance*. All subsequent Subdivision Plans or Site Plans must show how the R-16 zoning district requirements are met.

1. On Sheet 5, the Applicant has depicted the lot requirements for the R-16 district pursuant to Section 7-900. Section 3-600 should also be added, as there are requirements of this section that apply.
2. On the CDP, depict the Lot and Building requirements of the R-16 ADU, Section 7-

903, such as lot size, lot width, yards and lot coverage.

3. On the CDP, denote the proposed amount of active recreation space for this district. Demonstrate that such active recreation space is accessible to all residents by means of internal pedestrian walkways (7-903(E)). Pursuant to Article 8, definitions, "active recreation space" includes tennis courts, swimming pools, tot-lots, outdoor games and sports activities etc. Designate on the CDP, the location and types of active recreation uses and include this in the Proffer Statement. Staff supports the proffering of any additional amount of active recreation beyond what is required by the Ordinance.
4. On the CDP, depict the building requirements of the R-16 district pursuant to Section 3-607.
5. Pursuant to Section 3-602, the district shall be located with pedestrian linkages to nearby established or planned employment centers, shopping or other community support services. Demonstrate conformance with this section of the Ordinance. In addition, this Section also requires that the district is served or planned to be served by public transit or designated for public transit in the Comprehensive Plan.
6. On Sheet 5, note the maximum permitted density of 19.2 dwelling units per acre in the R-16 zoning district (§ 7-901).
7. On Sheet 5, depict the maximum length/width ratio as required by Section 3-606(D).
8. With regard to Section 3-608 (B), as no detailed layout is provided with this application, Staff cannot evaluate conformance with this section of the Ordinance at this time. Staff asks that either detail drawings be submitted with this application, or provide a note that this requirement will be evaluated at the time of site plan.
9. Include a note on the CDP that residences to be served by private roads shall be subject to a recorded covenant expressly requiring private maintenance of such road in perpetuity and the establishment, commencing with the initial record plat, of a reserve fund for repairs to such road. Further, the record plat and protective covenants for such development shall expressly state that the County and VDOT have no, and will have no, responsibility for the maintenance, repair, or replacement of private roads, and finally, sales brochures or other literature and documents provided by the seller of lots served by such private roads shall include information regarding responsibility for maintenance, repair, replacement, and covenants pertaining to such lots including a statement that the County has no, and will have no, responsibility for the maintenance, repair, or replacement of private roads (Section 3-610(C)).

VI. CONFORMANCE WITH R-24 DISTRICT (§3-700) & (§7-1000)

1. On Sheet 5, the Applicant has depicted the lot requirements for the R-24 district pursuant to Section 7-1000. Section 3-700 should also be added, as there are requirements of this section that apply.
2. On the CDP, Exhibit A (Sheet 5), in the *Minimum Lot Requirement for R-24*, the minimum lot width is repeated twice. Correct this.

VII. CONFORMANCE WITH THE PD-IP, PLANNED DEVELOPMENT-INDUSTRIAL PARK DISTRICT (§4-500)

The rezoning plan set should state in the Notes section (Sheet 4) that Land Bays 7R and 8 will be developed in accord with all regulations for the PD-IP Zoning District of the *Revised 1993 Loudoun County Zoning Ordinance*. All subsequent Subdivision Plans or Site Plans must show how the requirements of this zoning district are met.

1. Land Bay 8 is proposed as a public use site. Staff believes the proposed use is for a fire and rescue station. This particular use is permissible by special exception in the PD-IP zoning district (4-504(S)). Therefore, a special exception application is required in conjunction with this application to locate a fire and rescue station use in this land bay. Further, please label the fire and rescue use on the CDP.
2. The purpose of the PD-IP district (Section 4-501) is to provide for light and medium industrial uses, office uses and necessary supporting accessory uses and facilities, designed with a park like atmosphere to compliment surrounding land uses by means of appropriate sitings of buildings and service areas, attractive architecture, and effective landscape buffering. Demonstrate conformance with this section of the ordinance.
3. Pursuant to Section 4-502, the PD-IP district must be consistent in location as identified in the Comprehensive Plan for industrial use. Zoning defers to Comprehensive Planning to conformance with this requirement. In addition, this section requires that incremental additions to an existing PD-IP district must demonstrate their relationship and compatibility with the previously approved district to which it is being added.
4. A minimum yard of 75 feet is required adjacent to the PD-H4 zoning district pursuant to Section 4-505(B)(2). Depict this requirement adjacent to the PD-H4 zoning district to the west, or, request a modification of this section.
5. Depict the minimum required yard of 15 feet adjacent to the CLI district on the north (Section 4-505(B)(3)).
6. In the *Density Exchange Table* on Sheet 5, Staff questions if it is the Applicant's

intent to limit the maximum floor area ration (FAR) for the public use site (fire/rescue station) to 0.3 and the square footage to 44,060 square feet.

7. Staff cannot evaluate compliance with Sections 4-505 (B)(4) and 4-507 as no detailed plan or illustrative is submitted for this application. Staff asks that the Applicant provide a detailed illustrative of the proposed design of the PD-IP district and demonstrate how such design conforms to the requirements of the ordinance.
8. On Sheet 4, note the maximum lot coverage and building height as required by Ordinance as well as maximums proposed by the Applicant for the PD-IP district (§ 4-506(A) & § 4-506(B)).
9. On Sheet 4, include a note stating that the minimum landscaped open space on any individual lot shall not be less than .20 times the buildable area of the lot (§ 4-507(B)).

VIII. CONFORMANCE WITH THE PD-OP, PLANNED DEVELOPMENT-OFFICE PARK DISTRICT (§4-300)

The rezoning plan set should state in the Notes section (Sheet 4) that Land Bay FF2B will be developed in accord with all regulations for the PD-OP Zoning District of the *Revised 1993 Loudoun County Zoning Ordinance*. All subsequent Subdivision Plans or Site Plans must show how the requirements of this zoning district are met.

1. Pursuant to Section 4-302, the PD-OP zoning district when mapped shall be no less than 5 acres minimum. However, incremental and contiguous additions of a minimum of one acre to an existing PD-OP zoning district shall be allowed. This application proposes a rezoning of 0.90 acres of R-24 zoning district to PD-OP zoning district. Revise the application to include a minimum of one acre for the rezoning to PD-OP zoning district.
2. A minimum yard of 15 feet is required adjacent to the CLI zoning district pursuant to Section 4-305(B)(3). Depict this requirement adjacent to the CLI zoning district to the east.
3. Staff cannot evaluate compliance with Sections 4-307 as no detailed plan or illustrative is submitted for this application. Staff asks that the Applicant provide a detailed illustrative of the proposed design of the PD-OP district and demonstrate how such design conforms to the requirements of the ordinance.
4. On Sheet 5, note the maximum lot coverage and building height as required by Ordinance as well as maximums proposed by the Applicant for the PD-OP district (§ 4-306(A) & § 4-306(B)).
5. On Sheet 5, include a note stating that the minimum landscaped open space on any individual lot shall not be less than .20 times the buildable area of the lot (§ 4-507(B)). Please note that such open space shall be landscaped and maintained in

accord with Section 5-1400.

IX. CONFORMANCE WITH THE CLI (COMMERCIAL LIGHT INDUSTRIAL) DISTRICT (§3-900)

The rezoning plan set should state in the Notes section that Land Bays 9 and 10 will be developed in accord with all regulations for the CLI Zoning District of the *Revised 1993 Loudoun County Zoning Ordinance*. All subsequent Subdivision Plans or Site Plans must show how the requirements of this zoning district are met.

1. The CDP on Sheet 4 indicates that Land Bay 9 and a portion of Land Bay FF2B are proposed to be rezoned to CLI while on Sheet 5 Land Bay 10 is proposed to be rezoned to CLI. Please correct/clarify this discrepancy.
2. Sheet 2 depicts a proposed rezoning of 4.53 acres from PD-IP to CLI zoning district, while Sheet 5 (*Density Exchange Table*) depicts a proposed rezoning of 4.23 acres from PD-IP to CLI zoning district for the same parcel. Please correct this inconsistency.
3. Pursuant to Section 3-902, the CLI district is mapped only along the eastern end of Route 50 as depicted on the Zoning Map. The rezoning of land to CLI in other areas not already shown on the Zoning Map shall not be permitted. Therefore, staff is not reviewing the proposal rezoning to the CLI district.

X. CONFORMANCE WITH ZONING OVERLAY DISTRICT REGULATIONS

A. SECTION 4-1400, AIRPORT IMPACT (AI) OVERLAY DISTRICT

- a) The subject Property lies within the Airport Impact (AI) Overlay District, between the Ldn 60 and 65 aircraft noise contours and within one mile beyond the Ldn 60 noise contour.
- b) For all residential units to be constructed between the Ldn 60-65 aircraft noise contour, the Applicant shall 1) disclose in writing to all prospective purchasers that they are located within an area that will be impacted by aircraft overflights and aircraft noise; 2) incorporate acoustical treatment into all dwelling units to insure that interior noise levels within living spaces (not including garages, sunrooms, or porches) do not exceed an average sound level of 45 db(A) Ldn; and 3) prior to the approval of a Record Plat creating residential lots, dedicate an avigation easement to the Metropolitan Washington Airports Authority, indicating the right of flight to pass over the property, as a means to securing the long-term economic viability of Washington Dulles International Airport.
- c) Finally, the Applicant should note that Section 4-1405 Disclosure states: "A disclosure statement shall be placed on all subdivision plats, site plans, and deeds to

A-65

any parcel or development within the AI district, clearly identifying any lot which is located within the AI district and identifying the component of the AI District in which the lot is located". Add the Disclosure Statement on the Note Sheet of the plan in the note section.

B. SECTION 4-1500, FLOODPLAIN (FOD) OVERLAY DISTRICT

The subject Property lies within the floodplain Overlay District (FOD). The property contains areas of major and minor floodplains and the Plan appears to be sensitive to the existing floodplain areas. See attached ERT referral for additional comments.

XI. CONFORMANCE WITH § 6-1500, PD DISTRICT

1. Section 6-1505, Concept Development Plan/Submission Requirements:

Pursuant to Section 6-1505(A) the CDP must be sufficiently detailed to judge the superiority of the proposal versus other forms of development. The proposed CDP does not provide any detail with regard to layout, design, phasing etc. for the proposed PD-H4, PD-OP and PD-IP zoning district, and Staff asks that the Applicant address this.

2. Section 6-1504, Zoning Modifications:

Proposed Modification - The Applicant has requested a modifications of Section 4-305(B)(2) *Lot Requirements*, to permit buildings in the PD-OP Land Bay FF2B to be located as close as 60 feet to the adjacent R-24 zoning district, the northern boundary of which is defined by the centerline of South Point Drive. Where the reduced yard is utilized, the yard area adjacent to South Point Drive will include the plantings of a Type 2 front yard buffer.

Applicant's Justification - The Applicant states that the adjacent PD-OP and R-16 districts are part of the same unified project and subject to the same Concept Development Plan. The reduction of this yard requirement will allow greater design flexibility to create a more urban streetscape, promote pedestrian access and connectivity, and enhance the landscaping along South Point Drive. Further, the Applicant notes that the requested reduction corresponds with the building and parking setbacks required under Section 4-305(B)(1).

Staff comment -The Zoning Ordinance requires that buildings are located 100 feet from any residential district or land bay allowing residential use. It is not clear if the Applicant is requesting a modification to reduce the 100 feet to 60 feet, or if the 60 feet includes the width of South Point Drive. Further, it is not clear how the proposed modification will achieve an innovative design, improve upon the existing regulations, or otherwise exceed the public purpose of the existing regulations. An application for modification shall include materials demonstrating how the

A66

modification will be used in the design of the project. Staff cannot support the modification request at this time.

XII. CONFORMANCE WITH ADDITIONAL REGULATIONS & STANDARDS

A. SECTION 5-1100, OFF-STREET PARKING & LOADING REQUIREMENTS

The Applicant has not shown the amount of required parking spaces for the proposed development. In order to evaluate impacts and assure that the required number of parking and loading spaces can be provided, and to avoid the possibility of nonconformance issue with the Plat at the time of Site Plan, staff recommends that the **required** and **proposed** parking and loading spaces for all uses be provided at this time, otherwise, a note should be provided on the plat stating that parking will be provided at the time of site plan, and will conform to the requirements of the Zoning Ordinance. It should also be noted that with regard to residential districts, garages and driveway count towards parking spaces, and that if proposed parking is provided, the application should include the number of bedrooms for all multi-family units, since parking tabulations are calculated based on bedroom count (§ 5-1102(E)).

B. SECTION 5-1300, TREE PLANTING AND REPLACEMENT

At Final Site Plan, the planting and replacement of trees on-site to the extent that, at maturity of ten (10) years, minimum tree canopy shall be: 1) ten (10) percent tree canopy for sites zoned business, commercial or industrial in the PD-IP and PD-OP Districts; 2) Fifteen (15) percent tree canopy for sites zoned R-16 for multi-family units with densities of eleven (11) to nineteen (19) units per acre; and 4) Every platted lot shall have a minimum tree canopy coverage of 2.5%, or 3,000 square feet, whichever is less, calculated at 10 years maturity, exempting lots for which no permits for new structures will be sought and the designated parent tract.

Since this site has existing vegetation, the applicant should ensure and proffer that existing viable stands of trees will be preserved to the greatest extent possible and depict this on the CDP.

C. SECTION 5-1400, BUFFERING AND SCREENING -

1. Buffer yards shall be located along the perimeter of a lot of parcel. The presentation and approval of a landscape plan is addressed at site plan. However comments on the utilization of existing vegetation to meet buffer planting requirements should be placed in the Notes.
2. The Applicant will have the option of requesting a modification or waiver of the required buffer yard by the Zoning Administrator at the time of site plan, pursuant to Section 5-1409 of the Ordinance, unless a specific condition of

approval is added prohibiting such a request.

D SECTION 5-900, SETBACKS-

Please note that pursuant to Section 5-900(C) new access points (public or private) to major collector roads (Tall Cedars) shall be limited to locations at existing median breaks, planned median breaks or other locations approved by Loudoun County or VDOT.

E SECTION 5-1000, SCENIC CREEK VALLEY BUFFER-

On the Existing Condition Map (Sheet 6), clearly label and depict the 150-foot Scenic Creek Buffer on either side of South Fork Broad Run measured along the slope of the ground from the channel scar line of the stream. As shown, it is not clearly defined.

XIII. PROFFER STATEMENT

1. With regard to *Proffer I.C.1*, the Applicant notes that Land Bay EE2A may be consolidated with Land Bay EE2B as shown on Sheet 5 for development purposes. In reviewing Sheet 5, there is no Land Bay EE2B. It appears that the correct reference should be Land Bay EE2.
2. With regard to *Proffer I.C.2*, the Applicant notes that it will construct a clubhouse and swimming pool within Land Bay FF1A prior to the issuance of the 80th residential zoning permit in Land Bay FF1A. It should be noted that this is the same recreational facility that was approved to be due either prior to the issuance of the 80th residential zoning permit in Land Bay EE2A or prior to the issuance of the 250th residential zoning permit in combined Land Bays EE2 and EE2A, whichever is first in time. Please demonstrate that there is not a need for this facility from the community if Land Bay EE2 and EE2A are constructed first, and the 250th permit is reached prior to construction in Land Bay FF1A.
3. With regard to *Proffer 1.E.1.b.*, the Applicant notes that Land Bay 8 shall be developed with up to 44,063 square feet of floor area for any permitted PD-IP uses, while on the CDP, *Density Exchange Table* (Sheet 5), a total of 44,060 square feet of total floor area is depicted. Correct/clarify this inconsistency.
4. With regard to *Proffer 1.E.1.a.*, the Applicant notes that Land Bay 7R shall be developed with up to 309,881 square feet of floor area for any permitted PD-IP uses, while on the CDP, *Density Exchange Table* (Sheet 5), a total of 309,880 square feet of total floor area is depicted. Correct/clarify this inconsistency.
5. With regard to *Proffer III.C.*, staff questions if the office condominium association for the building containing the library site will include the County.

6. With regard to Proffer III.C., staff notes that the approved proffer states that the Applicant shall diligently pursue completion of all construction documents and shall obtain permits and approvals required to commence construction prior to the issuance of the 1601 residential zoning permit within the development. It appears that approximately 1530 residential permits have been issued to date. Staff recommends that in addition to the date certain of completion of June 30, 2011, the above language for obtaining approvals prior to issuance of the 1601 permit be included to the proffer language as an option, for whichever comes first.
7. With regard to Proffer I.A., it appears that the Applicant has removed the language that provides for the reservation of an LCSA water storage pumping facility, identified on the CDP as "Proffered Water Tank Site" on Sheet 4. Explain.
8. With regard to Proffer I.B., the Applicant reference PD-H4 residential development in Land Bays 2, 3, 4 and 5R shown on Sheets 4 and 5. Land Bay 2 is not labeled on those sheets. Please depict this on Sheet 4. Further, clearly depict the land bay lines for Land Bays 2, 3 and 4 on Sheet 4.
9. With regard to Proffer I.B., the Applicant states that the PD-H4 district shall include a maximum of 289 residential units, while in the approved Proffer Statement, the Applicant notes a maximum of 505 total residential units. Staff asks that the Applicant provide a Development Summary Table to clarify the distribution of residential units and non-residential square footage between the different land bays for clarification. Please include the affordable dwelling units.
10. With regard to Proffer I.B., of the approved proffers, clarify that the club house and swimming pool is fulfilled.
11. With regard to Proffer I.G., the proposed amount of office and light industrial square footage is more than that shown on the Proffer Statement approved with ZMAP 2002-013/ZCPA 2002-0004. Clarify.
12. With regard to Proffer III.F., in the last line, the Applicant reference paragraph "VII.A. below". Please revise this so as not to create confusion, since paragraph VII.A is part of the previous approved proffers, and not the proposed Proffer Statement.
13. Please provide a comparison of existing road proffers and proposed road proffers. In addition, provide a redline copy of the proffers to clarify the proposed changes of proffer language approved versus proposed.

XIV. OTHER ISSUES/COMMENTS:

1. On the Certified Plat (Sheet 3), for the two portions of parcel with MCPI # 205-36-

A69

2224 adjacent to Route 50, the Applicant has noted the incorrect tax map number of 101 instead of 100. Please correct this.

2. Public rights of way do not have a zoning designation. Please remove the proposed rezoning of Tall Cedars, Relocated 659 and existing Millstream Drive and recalculate the total areas of parcels subject to the rezoning/concept plan amendment.
3. It appears that in the County Mapping System (WebLogis), the parcel with MCPI #204-46-2760 is shown as zoned PD-IP, PDCC-SC, R-16, AI and FOD. The LMIS system also indicates that this parcel is zoned CLI. Sheet 3 of the application depicts this parcel to be zoned PD-IP only. Please clarify/correct this inconsistency.
4. It appears that the County LMIS system indicates that a portion of this parcel (MCPI # 247-20-9549) is zoned CLI. Sheet 3 of the application depicts this parcel to be zoned PD-IP and PD-H4 only. Please clarify/correct this inconsistency.
5. It appears that the County LMIS system indicates that a portion of this parcel (MCPI #204-47-0343) is zoned CLI. Sheet 3 of the application depicts this parcel to be zoned PD-IP only. Please clarify/correct this inconsistency.
6. Staff asked that the Applicant provide an illustrative depicting land bays for the proposed application in order for staff to evaluate buffers required between land bays. As depicted on the CDP, it appears that there are areas between land bays that are not part of any land bay. Please provide a legend for the land bay lines.
7. In the *Density Exchange Table* on Sheet 5, the difference between the current maximum floor area and the proposed floor area is 44, 452 square feet for Land Bay FF2. The total proposed floor area is 157,498 square feet while in the Proffer Statement (Proffer I.E.2) it is noted as 157,509 square feet. Correct this inconsistency. Staff asks that the Applicant provide a tabulation of permitted and proposed non-residential use square footage for the land bays affected with this application.
8. In the Statement of Justification (Page 7) in the Zoning Modification Justification, correct the reference to R-16, as Staff believes the correct zoning district is R-24.
9. Specify on the CDP that Land Bay 8 will be a fire and rescue station.
10. In the Statement of Justification ("SOJ"), Land Use Mix (page 1), the Applicant notes that the minimum amount of public and civic space required is 10% , while that being proposed is only 8%. Explain.
11. On Sheet 4, the land bay number is missing below Land Bay 3. Please complete it.
12. The application must clearly distinguish and label the public and private streets in

the development.

13. Provide an Open Space Exhibit and depict the calculation of open space for the R-24, R-16, PD-H4, PD-OP and PD-IP zoning districts. Clarify, depict, label and describe the character of the open space and any proposed active recreation on the site.
14. Revise the Statement of Justification to explain the proposal with regard to the ZCPA for the TR-1 zoned Land Bay 1.

This page intentionally left blank.

COUNTY OF LOUDOUN
DEPARTMENT OF BUILDING AND DEVELOPMENT
MEMORANDUM

DATE: December 15, 2006

TO: John Merrithew, Project Manager, Department of Planning

FROM: Val Thomas, Planner, Zoning Administration *VT*

THROUGH: Mark Stultz, Assistant Zoning Administrator *MS*

CASE NUMBER AND NAME: ZMAP 2006-0011 & ZCPA 2006-0003; Stone Ridge Commercial; 1st Referral

TAX/MAP PARCEL NUMBERS/PROPERTY INFORMATION:

<i>Owner</i>	<i>Tax Map</i>	<i>Pin Reference</i>	<i>Acreage</i>	<i>Current Zoning</i>	<i>Proposed Zoning</i>
<i>Stone Ridge Community Dev. LLC</i>	<i>100/37 (part)</i>	<i>205-36-2224 (part)</i>	<i>19.75</i>	<i>PD-OP & R-24</i>	<i>PD-OP, R-24, CLI</i>
<i>Stone Ridge Community Dev. LLC</i>	<i>100/51(part)</i>	<i>204-35-8501 (part)</i>	<i>40.98</i>	<i>PD-IP</i>	<i>PD-IP, PD-OP & R-16</i>
<i>Stone Ridge Community Dev. LLC</i>	<i>100((7))/S23</i>	<i>204-26-3927</i>	<i>6.42</i>	<i>PD-IP</i>	<i>R-16</i>
<i>Stone Ridge Community Dev. LLC</i>	<i>100/48</i>	<i>204-39-4010</i>	<i>1.35</i>	<i>CLI</i>	<i>PD-OP & R-24</i>
<i>Stone Ridge Community Dev. LLC</i>	<i>100/49A</i>	<i>204-39-3236</i>	<i>0.86</i>	<i>PD-OP</i>	<i>PD-OP</i>
<i>Stone Ridge Community Dev. III, LLC</i>	<i>101/35 (part)</i>	<i>204-40-4123 (part)</i>	<i>1.47</i>	<i>CLI</i>	<i>PD-OP</i>
<i>Existing Right-of-Way</i>			<i>2.68</i>	<i>PD-IP</i>	<i>PD-OP & R-16</i>

I. APPLICATION SUMMARY:

Building and Development Zoning Staff has reviewed the above referenced rezoning (ZMAP) application for conformance with the applicable requirements of the *Revised 1993 Loudoun County Zoning Ordinance* ("the Ordinance"). The applicant, Stone Ridge Community LLC ("the Applicant") seeks approval to rezone approximately 73.51 acres from various zoning districts to other zoning districts as noted in the above table. The proposal for this application is to permit a total of 307 multi-family units (20 ADUs) and 450,000 square feet of office use. This is a net increase of 307 multi-family residential units and approximately 4,000 square feet of non-residential uses (i.e. an increase of approximately 428,000 square feet of office uses (PD-OP) and elimination of approximately 424,000 square feet of light industrial uses (PD-IP) from currently approved plans (ZMAP 2002-0013 & ZCPA 2002-0004).

The property is generally located on the south side of Route 50, west of Gum Spring Road (Route 659) and north of Tall Cedars Parkway.

The materials submitted for review of the application consist of: (1) Information Sheet; (2) Stone Ridge Zoning Map Amendment Plan ("the plan") consisting of the Cover Sheet (Sheet 1), Rezoning Plat (Sheet 2), Concept Development Plan Overall (Sheet 3), Existing Conditions (Sheet 4), Soils Map (Sheet 5), Land Use Map (Sheet 6), Open Space Exhibit (Sheet 7), Illustrative/Traffic & Pedestrian Circulation Plan (Sheet 8), Tree Cover Exhibit (Sheets 9), Tree Cover Narrative (Sheet 10).all dated April 7, 2006; and (3) Statement of Justification not dated.

Based upon a review of the application, Zoning Staff offers the following comments:

II. CONFORMANCE WITH §6-1211 ZONING MAP AMENDMENTS

This section of the Ordinance requires the Planning Commission to give consideration to certain criteria, for which Zoning has the following comments. Unless the factor is specifically addressed below, Zoning defers to the appropriate County or State Agency for comment:

1. SECTION 6-1211(E)1 - *Whether the Proposed Zoning District Classification is consistent with the Comprehensive Plan* -Zoning defers to Community Planning for comments but note that the cumulative effect of residential land development applications as well as retail and office uses in the vicinity must be taken into consideration This proposed rezoning will add an additional 307 residential units to the area as well as 4,000 square feet of office. The cumulative impact of the existing and proposed developments in the surrounding area must be taken into consideration, especially with regard to the impact on the Route 50 corridor and surrounding road network.
2. SECTION 6-1211(E)4 - *Whether adequate utility, sewer and water, transportation,*

school and other facilities exist or can be provided to serve the uses that would be permitted on the Property if it were rezoned - Staff notes that the proposed increased density will increase school sizes, affect traffic volume and other infrastructure in the area. Staff asks that the Applicant address this, and defers to Community Planning and OTS (Office of Transportation) for comment on this. Further, Staff defers to other referral agencies such as Loudoun County School Board, Library Services, Parks and Recreation to comment on the adequacy of schools and other facilities for the development.

3. Section 6-1211(E)(6) - *The effect of uses allowed by the proposed rezoning on the structural capacity of the soils.* According to County Records, hydric soils (types 66A and 69A) are present in the rezoning area and the applicant has identified wetland areas. Hydric soils have a very poor potential for general development of central water and sewer. Development of the site should consider these areas with respect to grading and the construction of buildings and infrastructure. Staff notes that the soils type is not included for the proposed PD-OP, PD-IP and R-16 districts on Sheet 5. Please correct this.
4. SECTION 6-1211(E)7 - *The impact that the uses that would be permitted if the property were rezoned will have upon the volume of vehicular and pedestrian traffic and traffic safety in the vicinity and whether the proposed rezoning uses sufficient measures to mitigate the impact of through construction traffic on existing neighborhoods and school areas* - It is noted that increasing the density through the rezoning process to allow up to 307 residential units and 4,000 square feet of office to be built on the property which will increase the volume of traffic in the vicinity. Based on a review of the Traffic and Pedestrian Circulation Plan (Sheet 8) it appears that most of the construction traffic will utilize Millstream Drive and Canary Grass Drive to access the property. Staff would therefore recommend more specific measures to mitigate the impact of construction traffic on the surrounding area. Limiting the hours during which construction traffic may enter and exit the site is one measure. The applicant should also address how construction traffic will enter and exit the property during construction.

Zoning Staff further defers to OTS and VDOT for comments on the impact of the rezoning proposal on the volume of vehicular and pedestrian traffic and traffic safety in the vicinity.

5. SECTION 6-1211(E)9 - *The effect of the proposed rezoning on environmentally sensitive land or natural features, wildlife habitat, vegetation, water quality and air quality.* The site contains areas of major and minor floodplain and wetlands. Where floodplain areas are impacted, the Applicant will be required to meet the standards of § 4-1500 of the Zoning Ordinance. The requirements of the U.S. Army Corps of Engineers will also need to be met with regard to wetlands. Zoning encourages the preservation of all existing wetlands and riparian corridors whenever possible. The property also has areas of existing tree cover on the site that includes mixed hardwood and staff encourages utilization of existing vegetation when providing any

required planting. Staff recommends that the Applicant identify areas of existing vegetation that will be preserved, and show such areas on a proffered plan. Staff further defers to the Environmental Review Team for comment on the impact to the environment or natural features, wildlife habitat, vegetation, water quality and air quality.

III. CONFORMANCE WITH R-16 DISTRICT (§3-600) & (§7-900)

The rezoning plan set should state in the Notes section, that Land Bay DD2 will be developed in accord with all regulations for the R-16 Zoning Districts of the *Revised 1993 Loudoun County Zoning Ordinance*. All subsequent Subdivision Plans or Site Plans must show how the R-16 zoning district requirements are met.

1. On Sheet 3, the Applicant has depicted the lot requirements for multi-family structures (R-16, § 7-900) as well as for single-family attached townhomes (R-8, § 7-800). However, staff believes that the Applicant is only proposing a rezoning to the R-16 zoning district (multi-family, Land Bay DD2) and not to the R-8 district. Correct/clarify this.
2. Pursuant to Section 3-602, the district shall be located with pedestrian linkages to nearby established or planned employment centers, shopping or other community support services. Demonstrate conformance with this section of the Ordinance. In addition, this Section also requires that the district is served or planned to be served by public transit or designated for public transit in the Comprehensive Plan.
3. On Sheet 3, note the maximum permitted density of 19.2 dwelling units per acre in the R-16 zoning district as well as the proposed density for Land Bay DD1 (§ 7-901).
4. On Sheet 3, depict the maximum length/width ratio as required by Section 3-606(D).
5. With regard to Section 3-608 (B), as no detailed layout is provided with this application, Staff cannot evaluate conformance with this section of the Ordinance at this time. Staff asks that either detail drawings be submitted with this application, or provide a note that this requirement will be evaluated at the time of site plan.
6. On the CDP, provide the required amount of active recreation space pursuant to Section 7-903(E). The Applicant must demonstrate that active recreation space is accessible to all residents by means of internal pedestrian walkways. Pursuant to Article 8, definitions, "active recreation space" includes tennis courts, swimming pools, tot-lots, outdoor games and sports activities etc. Designate on the CDP, the location and types of active recreation uses and include this in the Proffer Statement. Staff supports the proffering of any additional amount of active recreation beyond what is required by the Ordinance.
7. Demonstrate conformance with Section 3-608(B) of the Ordinance, which requires that no off street parking for multi-family dwellings shall be permitted in areas

A 76

between buildings and streets, unless such parking areas are sufficiently bermed and screened so that the parking areas are not visible from the street.

8. Include a note on the CDP that residences to be served by private roads shall be subject to a recorded covenant expressly requiring private maintenance of such road in perpetuity and the establishment, commencing with the initial record plat, of a reserve fund for repairs to such road. Further, the record plat and protective covenants for such development shall expressly state that the County and VDOT have no, and will have no, responsibility for the maintenance, repair, or replacement of private roads, and finally, sales brochures or other literature and documents provided by the seller of lots served by such private roads shall include information regarding responsibility for maintenance, repair, replacement, and covenants pertaining to such lots including a statement that the County has no, and will have no, responsibility for the maintenance, repair, or replacement of private roads (Section 3-610(C)).
9. Pursuant to the Ordinance, a multi-family structure must contain a minimum of five units and a maximum of 64 units. Include this requirement on Sheet 3.

IV. CONFORMANCE WITH R-24 DISTRICT (§3-700) & (§7-1000)

The rezoning plan set should state in the Notes section, that Land Bay FF1 will be developed in accord with all regulations for the R-24 Zoning Districts of the *Revised 1993 Loudoun County Zoning Ordinance*. All subsequent Subdivision Plans or Site Plans must show how the R-24 zoning district requirements are met.

1. On Sheet 3, the Applicant has depicted the minimum lot requirements of the R-24 zoning district, but quoted the incorrect Section 7-900. Please include the correct Ordinance Section of the R-24 (ADU) zoning district, 7-1000.
2. The R-24 zoning district (Land Bay FF1) is approved for 640 multi-family residential units with ZMAP 1994-0017. A portion of this Land Bay (Section 17) is proposed for 304 multi-family units (STPL 2005-0081, SPAM 2006-0079). The remainder of the land is proposed for 322 multi-family units with this application. Clarify the difference in the total number of units for the land bay.
3. The Applicant must demonstrate that the application meets the following five requirements of Section 3-702 of the Ordinance
 - (A) Abutting arterials and major collectors. Direct access for lots created after the adoption of this ordinance to such arterials and major collectors shall be provided only via minor collector roads.
 - (B) With pedestrian linkages to planned or existing employment centers, shopping or other community support services.

- (C) Consistent with the Comprehensive Plan.
- (D) When supporting shopping and commercial development is planned, existing, or under construction.
- (E) Planned or served by public transit, or designated for public transit in the Comprehensive Plan.

Staff asks the Applicant to clarify if the existing Route 659 adjacent to the R-24 district is classified as major collector or a local road. If not, then the proposed district does not meet the condition in section (A) above.

Sheet 8 illustrates the Traffic and Pedestrian Circulation Plan. However, the difference between trails and sidewalks on the plan is not clear. Staff suggests a sidewalk and/or trail be provided along Canary Grass Drive and Route 659. Staff also suggests that the applicant provide and depict internal pedestrian crosswalks and signals at major intersections to create a safe and functional pedestrian network.

Finally, with regard to the regulation that the R-24 districts is planned or served by public transit, please coordinate with the Office of Transportation Services (OTS) to determine the need for bus stops and shelters within the rezoning area.

- 4. On the CDP, provide the required amount of active recreation space pursuant to Section 7-1003(E). The Applicant must demonstrate that active recreation space is accessible to all residents by means of internal pedestrian walkways. Staff supports the proffering of any additional amount of active recreation beyond what is required by the Ordinance.
- 5. On the CDP, the Applicant should note the maximum length/width ratio of the district pursuant to Section 3-706(D).
- 6. Include the requirement of Section 3-707(C) regarding the maximum number of units permitted per building. Please note that a multi-family structure must contain a minimum of five units and a maximum of 64 units
- 7. As no detailed layout is provided at this time the requirement of Section 3-708(B) regarding off street parking cannot be evaluated at this time. The Applicant should demonstrate conformance with this section of the Ordinance at the time of site plan.
- 8. Denote the permitted and proposed density for the R-24 zoning district on the CDP (§ 7-1001).

V. CONFORMANCE WITH THE PD-IP, PLANNED DEVELOPMENT-INDUSTRIAL PARK DISTRICT (§4-500)

The rezoning plan set should state in the Notes section that Land Bay 7 will be developed in

A-78

accord with all regulations for the PD-IP Zoning District of the *Revised 1993 Loudoun County Zoning Ordinance*. All subsequent Subdivision Plans or Site Plans must show how the requirements of this zoning district are met.

1. A minimum yard of 75 feet is required adjacent to the PD-H4 zoning district pursuant to Section 4-505(B)(2). However, Staff notes that the Applicant has requested a modification of this section. See part IX of this referral for comments.
2. Staff cannot evaluate compliance with Sections 4-505 (B)(4) and 4-507 as no detailed plan or illustrative is submitted for this application. Staff asks that the Applicant provide a detailed illustrative of the proposed design of the PD-IP district and demonstrate how such design conforms to the requirements of the ordinance, or provide a note stating that these requirements will be met at site plan.
3. On Sheet 3, note the maximum lot coverage and building height as required by Ordinance as well as maximums proposed by the Applicant for the PD-IP district (§ 4-506(A) & § 4-506(B)).
4. On Sheet 3, include a note stating that the minimum landscaped open space on any individual lot shall not be less than .20 times the buildable area of the lot (§ 4-507(B)). Staff notes that this requirement is provided on the illustrative (Sheet 7), but states that unless that illustrative is proffered, the information should be provided on the CDP Sheet.

VI. CONFORMANCE WITH THE PD-OP, PLANNED DEVELOPMENT-OFFICE PARK DISTRICT (§4-300)

The rezoning plan set should state in the Notes section that Land Bays DD1 and FF2 will be developed in accord with all regulations for the PD-OP Zoning District of the *Revised 1993 Loudoun County Zoning Ordinance*. All subsequent Subdivision Plans or Site Plans must show how the requirements of this zoning district are met.

1. Per the district purpose, PD-OP districts shall be designed with a park-like atmosphere and environmentally sensitive design to accommodate and complement existing natural features including extensive landscaping, low ground coverage by buildings, buildings of moderate height, and careful attention to such aesthetic considerations as location and size of signs, lighting, parking and service areas and the like. Demonstrate how the proposed rezoning meets these objectives. Staff recommends that the applicant provide an illustrative drawing depicting the above (§4-301, Purpose).
2. PD-OP districts shall be located on primary state highways. However, direct access onto arterial roads shall be limited to those consistent with adopted Corridor Plans. The proposed CDP depicts access onto Route 50 via Canary Grass Drive adjacent to Land Bay FF2 and onto Millstream Drive adjacent to Land Bay DD1. Staff defers to OTS regarding access to Route 50 via these roads as proposed by the applicant. If the road locations are not consistent with the Countywide Transportation Plan or an adopted

Corridor Plan, a modification to this section will be needed (§ 4-302).

3. The application proposes additions of approximately 2 acres to the PD-OP district. Pursuant to Section 4-302, incremental additions to the district must demonstrate their relationship and compatibility with the previously approved district to which it is being added. Demonstrate conformance with this Section of the Ordinance.
4. On the CDP, depict the 100-foot minimum required yard adjacent to the R-24 and R-16 zoning districts (§ 4-305(B)(2)). Also depict and label the 50-foot yard required for parking. Staff notes that the Applicant has requested a modification of this section. See part IX of this referral for comments.
5. On the CDP, depict the 15-foot minimum required yard adjacent to the PD-IP and PD-CC(CC) zoning districts (§ 4-305(B)(3)).
6. Denote the required minimum landscape open space of 0.20 times the buildable area of the lot on the CDP. Staff notes that this is depicted on Sheet 7, "Open Space Exhibit" and state that unless this exhibit is proffered, the requirement must be shown on the CDP.
7. Staff cannot evaluate compliance with Sections 4-307 (E) as the Applicant has not provided any detail layout of the proposed PD-OP district. Staff asks that the Applicant provide a detailed illustrative of the proposed design and layout of the PD-OP district and demonstrate how such design and layout conforms to the requirements of the ordinance, or provide a note stating that these requirements will be met at site plan.

VII. CONFORMANCE WITH ARTICLE VII REGULATIONS, AFFORDABLE DWELLING UNITS

Per Article VII of the Zoning Ordinance, the requirements of the Affordable Dwelling Unit Program shall apply to any site, or portion thereof, at one location which is (a) served by public water and sewer, and (b) the subject of an application for rezoning, special exception, site plan or preliminary subdivision which yields, as submitted by the applicant, fifty (50) or more dwelling units at an equivalent density greater than one unit per gross acre.

Pursuant to § 7-103, the Applicant is required to provide 12.5% affordable dwelling units and could avail of a 20% bonus density for single family detached and single family attached units (§ 7-103(A)). In addition, the Applicant is required to provide 6.25% affordable dwelling units and could avail of a 10% bonus density for multi-family units (§ 7-103(B)). The Applicant is proposing to add an additional 307 multi-family units to the Stone Ridge development in proposed Land Bay DD2 including 20 ADU units. However, Staff asked that the Applicant clarify that an additional 21 affordable dwelling units will be provided with the R-24 zoning district shown on this application (Land Bay FF1, per approved ZMAP 1994-0017, STPL 2005-0081, SPAM 2006-0079).

A-80

The Applicant must note that Affordable dwelling units shall be of a building type and of an architectural style compatible with residential units permitted within the zoning district and interspersed among market rate units in the proposed development.

VIII. CONFORMANCE WITH ZONING OVERLAY DISTRICT REGULATIONS

SECTION 4-1400, AIRPORT IMPACT (AI) OVRELAY DISTRICT

- a) The subject Property lies within the Airport Impact (AI) Overlay District, between the Ldn 60 and 65 aircraft noise contours and within one mile beyond the Ldn 60 noise contour. The Plan needs to be revised to show the existing zoning of the property to also include the AI, Airport Impact Overlay District (Note # 1, Sheet 1). Also correct note # 14 on Sheet 1.
- b) For all residential units to be constructed between the Ldn 60-65 aircraft noise contour, the Applicant shall 1) disclose in writing to all prospective purchasers that they are located within an area that will be impacted by aircraft overflights and aircraft noise; 2) incorporate acoustical treatment into all dwelling units to insure that interior noise levels within living spaces (not including garages, sunrooms, or porches) do not exceed an average sound level of 45 db(A) Ldn; and 3) prior to the approval of a Record Plat creating residential lots, dedicate an avigation easement to the Metropolitan Washington Airports Authority, indicating the right of flight to pass over the property, as a means to securing the long-term economic viability of Washington Dulles International Airport.
- c) Finally, the Applicant should note that Section 4-1405 Disclosure states: "A disclosure statement shall be placed on all subdivision plats, site plans, and deeds to any parcel or development within the AI district, clearly identifying any lot which is located within the AI district and identifying the component of the AI District in which the lot is located". Add the Disclosure Statement on the Note Sheet of the plan in the note section.

IX. CONFORMANCE WITH § 6-1500, PD DISTRICT

1. **Section 6-1505, Concept Development Plan/Submission Requirements:**
Pursuant to Section 6-1505(A) the CDP must be sufficiently detailed to judge the superiority of the proposal versus other forms of development. The proposed CDP does not provide any detail with regard to layout, design, phasing etc. for the proposed PD-OP and PD-IP zoning district, and Staff asks that the Applicant address this.
2. **Section 6-1504, Zoning Modifications:** It appears that the Applicant has proposed zoning modifications pursuant to this section of the ordinance. The Applicant has listed the proposed modifications of Section 4-305(B)(2) and Section 4-505(B)(2) on Sheet 3

A-81

of the rezoning plan but it is not clear what the nature of the modifications requests are, and there is no justification provided for such modifications. Staff asks that the Applicant clarify this. Please note that no modification shall be approved unless the Board of Supervisors finds that such modification to the regulations will achieve an innovative design, improve upon the existing regulations, or otherwise exceed the public purpose of the existing regulations. No modification will be granted for the primary purpose of achieving the maximum density on a site. An application for modification shall include materials demonstrating how the modification will be used in the design of the project.

3. **Section 6-1508, Contents of an approved Concept Development Plan.**

The concept development plan must be revised to depict the following for the PD-OP and PD-IP districts:

- A. **Nonresidential density.** For nonresidential development, (c) the proposed setbacks, height, and bulk restrictions for the project as a whole or for components or sub areas within the project. In addition, non-residential development plans shall specify any applicable performance standards that are imposed and restrictions regarding the location and nature of industrial, commercial and other nonresidential activities.
- D. **Transportation/Access.** For nonresidential development, the approved location and general design of transportation improvements and ingress and egress to the project, along with such access restrictions as are imposed to promote and ensure the integrity and function of the County's thoroughfare system and the safe and efficient circulation of vehicles and pedestrians within the Planned Development district.
- E. **Perimeter treatment.** The CDP must demonstrate the design and arrangement of perimeter areas and how it mitigates the impact of the project upon adjoining properties.

X. CONFORMANCE WITH ADDITIONAL REGULATIONS & STANDARDS

A. SECTION 5-1100, OFF-STREET PARKING & LOADING REQUIREMENTS

The Applicant has not shown the amount of required parking spaces for the proposed multi-family units. In order to evaluate impacts and assure that the required number of parking and loading spaces can be provided, and to avoid the possibility of nonconformance issue with the Plat at the time of Site Plan, staff recommends that the **required** and **proposed** parking and loading spaces for all uses be provided at this time, otherwise, a note should be provided on the plat stating that parking will be provided at the time of site plan, and will conform to the

A82

requirements of the Zoning Ordinance. It should also be noted that with regard to residential districts, garages and driveway count towards parking spaces, and that if proposed parking is provided, the application should include the number of bedrooms for all multi-family units, since parking tabulations are calculated based on bedroom count (§ 5-1102(E)).

B. SECTION 5-1300, TREE PLANTING AND REPLACEMENT

At Final Site Plan, the planting and replacement of trees on-site to the extent that, at maturity of ten (10) years, minimum tree canopy shall be: 1) ten (10) percent tree canopy for sites zoned business, commercial or industrial in the PD-OP and PD-IP Districts; 2) Ten (10) percent tree canopy for sites zoned R-24 with densities of twenty (20) or more units per acre; 3) Fifteen (15) percent tree canopy for sites zoned R-16 for multi-family units with densities of eleven (11) to nineteen (19) units per acre; and 4) Every platted lot shall have a minimum tree canopy coverage of 2.5%, or 3,000 square feet, whichever is less, calculated at 10 years maturity, exempting lots for which no permits for new structures will be sought and the designated parent tract.

Since this site has existing vegetation, the applicant should ensure and proffer that existing viable stands of trees will be preserved to the greatest extent possible and depict this on the CDP.

C. SECTION 5-1400, BUFFERING AND SCREENING -

1. Buffer yards shall be located along the perimeter of a lot of parcel. The presentation and approval of a landscape plan is addressed at site plan. However comments on the utilization of existing vegetation to meet buffer planting requirements should be placed in the Notes.
2. The Applicant will have the option of requesting a modification or waiver of the required buffer yard by the Zoning Administrator at the time of site plan, pursuant to Section 5-1409 of the Ordinance, unless a specific condition of approval is added prohibiting such a request.

D SECTION 5-1200, SIGNS-

Unless modified, all signage shall comply with this section, to include the Sign Requirements Matrix, Section 5-1204(D). Please include a note to that effect on Sheet 1.

XI. ZMAP CHECKLIST:

1. The Applicant has depicted some but not all required open space areas in the development (Sheet 7). Staff notes that the proposed open space areas primarily consist of perimeter buffers and floodplain areas. Clarify and describe the character of the open space and any proposed active recreation (R-16, R-24 district) on the CDP sheet

A-83

[Checklist # 7].

XII. PROFFER STATEMENT:

1. The Applicant has not provided any proffers to date. If the Applicant wishes to submit proffers for consideration, they are required to be submitted as part of the Applicant's response to the first written review of the issues (6-1209(A)(1)), and no later than 45 calendar days prior to the scheduled public hearing before the Board of Supervisors (6-1209(A)(2).
2. If proffers are submitted, Staff recommends that, for the purpose of future interpretation, administration and enforcement, each proffer should be written to specifically and clearly communicate: 1) the intent of the proffer; 2) who is responsible for fulfilling the proffer; 3) what is being proffered; 4) where the proffer applies; and 5) when the proffer is to be initiated and completed.
3. Staff asks the Applicant to address how the proposed application relates to the existing approved Stone Ridge development and to provide a draft proffer statement clarifying any new proffers, deletion or revision of existing ones etc.

XIII. OTHER ISSUES/COMMENTS:

1. On the Rezoning Plat (Sheet 2), the zoning of MCPI # 204-18-0633 is R-24, not Transition. Please depict the correct zoning district.
2. On the information Sheet, it is noted that a portion of tax map number 100/37 is proposed to be rezoned to the CLI district. This is not depicted or labeled on the rezoning plat. Explain.
3. On the Rezoning Plat (Sheet 2), clarify that MCPI # 205-36-2224 is zoned R-24, PD-OP, R-16 and PDH-4, and that only the portion zoned R-24 and PD-OP is being rezoned and note the acreage on the Table on Sheet 2
4. On the Rezoning Plat (Sheet 2), identify the portion of the existing right-of-way that is proposed to rezone from PD-IP to PD-OP and R-16.
5. The property contains areas of steep slopes. Include a note on the Cover Sheet in the notes section that development of the property will conform to the steep slope standards of Section 5-1508 of the Zoning Ordinance.
6. For ease of clarification, denote and label the existing parcel lines and zoning boundaries as well as proposed zoning district boundaries on a separate sheet.
7. Clarify the proposed zoning of the VEPCO easement adjacent to MCPI # 204-35-8501

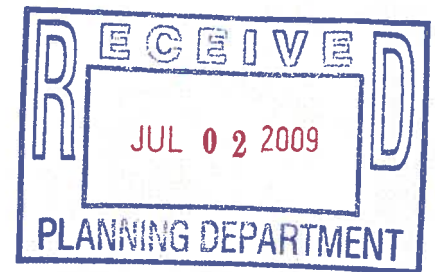
A 84

and provide an acreage breakdown of the different zoning districts for the parcel including the VEPCO easement area.

8. The Parcel containing MCPI # 204-39-3236 according to the County's Mapping system Weblogis records indicate that the parcel is zoned PD-GI and is not at the location shown on the proposed CDP. Similarly, for MCPI # 204-39-4010, 205-36-2224, 204-40-4123. Correct/clarify this. Please correct this on the Table on Sheet 2.
9. Depict and label the existing Canary Grass Court on the proposed CDP (adjacent to the R-24 Zoning District).
10. For ease of clarification, depict and label Amber Spring Court on the proposed CDP.
11. On Sheet 3, in the "Proposed Development Program" table, the Applicant depicted the proposed number of units for Land Bay FF1 as 322, while on the same sheet, in the location of the proposed land bay, the Applicant noted 213 multi-family units. Correct/clarify this inconsistency.
12. On Sheet 3, in the "Proposed Development Program" table, remove the proposed FAR of 0.40 from the residential land bays as it is not applicable.
13. The application must clearly distinguish and label the public and private streets in the development.
14. On Sheet 7, the calculation of open space for the R-24, R-16 is based on a required open space of 10%. Staff asks that the Applicant clarify this, as the 10% minimum is not an Ordinance requirement.
15. On Sheet 7, in the notes section, correct the word "maintained", as it is incorrectly spelled.
16. On Sheet 8, Land Bays 7, DD1 and DD2 are labeled as Land Bays AA, BB and CC. Please correct/clarify this inconsistency.
17. According to County's Weblogis, the area of MCPI # 204-35-8501 is 69.36 acres with the major portion zoned PD-IP and a small portion (14.67 acres) zoned PD-H4. Please clarify on the Table on Sheet 2 that the existing zoning of this parcel is also PD-H4.

This page intentionally left blank.

MEMORANDUM



TO: Stephen Gardner, Department of Planning (#62)

FROM: Larr Kelly, Zoning Division, Department of Building and Development (#60)

JK

DATE: July 2, 2009

RE: ZCPA 2006-0003/ZMAP 2006-0011: Stone Ridge

As requested, I have reviewed the draft proffers, dated June 16, 2009, for the above referenced Zoning Concept Plan Amendment/Zoning Map Amendment application. Pursuant to this review, I offer the following comments:

1. In regard to the preamble, I note that the description of "the Property" does not include Land Bays 2, 3 or 4. However, a number of the proffer changes impact these land bays. I suggest that these land bays be included. In addition, I note that the proffers pertaining to the middle school site are being amended, but that the middle school site itself has not been included in the description of "the Property". I suggest that this site be included as well. Similarly, the proffers for the library site are being amended, but the land on which the library is to be located is not included and would not be subject to these proffers. I suggest that the land for the library should also be included in this application.
2. In further regard to the preamble, I note that while the applicant has referred to the mapping of a portion of the Property to the PD-H4 Zoning District, there is no mention of how those portions are to be administered. In the initial zoning for Stone Ridge, it was mentioned that the PD-H4 portion of the Property would be administered as R-8. If that is still the intent, then I suggest that this be clarified.
3. In regard to proffer I., in the second line thereof, I suggest that the phrase "entitled 'Stone Ridge Commercial ZMAP 2006-0011/ZCPA 2006-0003' and" be inserted following the word "plans".
4. In regard to proffer I.A., Land Bay 1, I note that the applicant has indicated that this Land Bay may no longer be developed as residential units, but may instead be developed with any other use allowed in the TR-1UBF Zoning District. It is not clear if this proposed language change is intended to mean that if another use is developed then none of the 94 residential units will be constructed, or whether the intent is to allow for a mix of uses. I suggest that this be clarified.
5. In further regard to proffer I.A., in the last line thereof, the applicant states that the water tank site is identified on the CDP as "PIN: 247-19-1835". However, the

site is not so identified on the CDP. Instead it is labeled "Dulles South Water Tank Site". While the PIN is accurate, the statement is not consistent with what is on the CDP. I suggest that this inconsistency be eliminated.

6. In regard to proffer I.B.1., in the first line thereof, I suggest that the phrase "in Land Bay 5R" be inserted after the phrase "Active Recreation Facility".
7. In regard to proffer I.C.1.a., in the third line thereof, I suggest that the number "6" be inserted prior to the term "ADUs".
8. In further regard to proffer I.C.1.a., in the sixth line of the proffer, the applicant has indicated that the total contribution for the "consolidated land bay", which I presume means the combined Land Bays EE2 and EE2A, would equal \$12,611 x 84 or \$1,059,324. However, 84 is the number of market rate units in Land Bay EE2A alone, and this proposed contribution would not include any contribution for units in Land Bay EE2. This does not seem appropriate. I suggest that staff review this proposed capital facilities contribution for sufficiency. However, the proffer goes on to state that all market rate units in the consolidated land bay (EE2 and EE2A) beyond the 84 units shall be subject to the capital facilities contribution specified in ZMAP 2002-0013/ZCPA 2002-0004. This amount also appears to be \$12,611 and I do not understand why these units are being treated separately. I suggest that this proffer be clarified.
9. In further regard to proffer I.C.1.a., I note that the applicant states that there will be 84 market rate units, apparently in Land Bay EE2A, which leaves 6 ADUs in that Land Bay. However, Note 1 on Sheet 4 does not indicate that any ADUs will be provided in Land Bay EE2A. I suggest that this inconsistency be eliminated. Similarly, the same note fails to mention any ADUs for Land Bay EE2. If there are ADUs in this Land Bay, I suggest that this note be amended to so state.
10. In further regard to proffer I.C.1.a., I note that the trigger mechanism is being changed from the first residential zoning permit in Land Bay EE2A to the first residential zoning permit in the consolidated land bay (EE2A and EE2). However, not all of Land Bay EE2 is the subject of this application and it is unclear how this change can be effective against Land Bay EE2 if it is not included within this application. I suggest that the entire Land Bay be included in the application.
11. In regard to proffer I.C.1.a.(i), I note that the applicant proposes to construct a clubhouse and swimming pool prior to the issuance of the 80th residential zoning permit in Land Bay EE2A or the 250th residential zoning permit in combined Land Bays EE2 and EE2A. Pursuant to proffer I.C.1.a., Land Bay EE2A is limited to 90 multi-family units, while the CDP states that Land Bay EE2 is limited to 84 multi-family units. If this is the case, then only 174 residential units

could be constructed on the combined land bays, and the 250th unit would never be reached. I suggest that the unit counts be clarified.

12. In regard to proffer I.D., I note that the applicant is proposing to create a new Land Bay EE1A, which is to be zoned PD-CC(SC). However, the size of this proposed rezoning is only 2.9 acres, while the minimum size for a PD-CC(SC) zoning district is 20 acres. Given the proposed size of the district, it appears that PD-CC(NC) would be more appropriate, and this district allows for the proposed commuter parking lot use as well, although a special exception would be required if this use is to constitute 100% of the uses for the proposed district. I suggest that consideration be given to changing the proposed district to PD-CC(NC).
13. In regard to proffer I.E.1., I note that the applicant has created a new subparagraph "a". I question whether there is any intent to have any other subparagraph under proffer I.E.1. Subparagraph "a" addresses Land Bay 8 now, instead of Land Bay 7, as it previously did. So, it begs the question as to whether a subparagraph "b" addressing Land Bay 7 was intended.
14. In further regard to proffer I.E.1., in the last line of subparagraph "a", I suggest that the phrase "as shown on the CDP" be retained.
15. In regard to proffer I.E.2., I again note that there is a subparagraph "a" with no other subparagraphs. I question whether there was intended to be another subparagraph "b", perhaps dealing with Land Bay FF2A, as this paragraph only deals with Land Bay FF2B. I suggest that this be clarified.
16. In regard to proffer I.F., concerning pedestrian access, I suggest that the trail network proposed by the applicant should connect to the stream valley trail proposed in proffer III.B.4. However, no such connection is shown on the CDP. I suggest that this be addressed.
17. In regard to proffer I.G., concerning the Stone Ridge Development Summary, I note that the amount of office that could be developed in Stone Ridge is now 852,946 square feet. I urge staff to review this level of office development to ensure that the proposed road network is capable of serving it.
18. In regard to proffer II.B.3., I note that in the last line thereof, the applicant states that construction of Route 50 improvements shall commence "prior to the issuance of the first residential zoning permit in Land Bays 1, 2, 3, 4, or 5R". However, in proffer I.A., the applicant indicates that development other than residential may occur in Land Bay 1. If that's the case, it is not clear what will happen in the event that Land Bay 1 develops with other than residential uses. As written, such development will not trigger the Route 50 improvement requirement. I urge staff to review this to determine if non-residential

development in Land Bay 1 is acceptable without the Route 50 improvements, or whether non-residential development in Land Bay 1 should also trigger the need for the Route 50 improvements.

19. In regard to proffer II.B.4.(c), in the ninth line thereof, I again note that a trigger mechanism, this time for intersection improvements to the Route 50/Future West Spine Road Intersection, is based on the issuance of the first "residential" zoning permit in Land Bays 1, 2, 3, 4, or 5R. I again urge staff to review this provision in light of the applicant's proposed change to proffer I.A., and the potential use change in Land Bay 1.
20. In regard to proffer II.B.4.(d)(i), I note that the applicant's agreement to the closure of existing Gum Springs Road/Route 50 intersection requires that VDOT actually accept Stone Springs Boulevard, between Route 50 and the North Collector Road, for maintenance. I suggest that this be changed to "open for use".
21. In regard to proffer II.B.4.(d)(iv), I note that the applicant has stated that the portion of Gum Springs Road between Route 50 and the North Collector Road must be abandoned by VDOT and/or the County before they will agree to the closure of the existing Gum Springs Road/Route 50 intersection. I do not see a connection between the need for such abandonment and the closure of the intersection. I suggest that this item be deleted.
22. In regard to proffer II.B.6., concerning Millstream Drive Extended, in the first line thereof, I suggest that the phrase "Millstream Drive westward and southward to Tall Cedars Parkway" be changed to "Millstream Drive westward and southward from its current terminus to Tall Cedars Parkway".
23. In further regard to proffer II.B.6., in the third line thereof, I note that the applicant has proposed that the width of the road will narrow from 64 feet to 52 feet "at its intersection with Tall Cedars Parkway". Usually, roadways widen at intersections to accommodate turn lanes. I urge staff to review the appropriateness of this reduction in roadway width.
24. In regard to proffer II.B.7., Phasing Plan, I note that the applicant intends to change the restriction on the cumulative number of residential zoning permits for Land Bays 1, 2, 3, 4, and 5R. Currently, the restriction limits to 300 the number that can be issued within two years of the approval of ZMAP 2002-0013/ZCPA 2002-0003. However, the applicant proposes to change this to read "prior to the construction of the improvements listed in Phase IIIB of Exhibit B". It is not clear how this change can be made effective against Land Bays 2, 3, and 4, as they are not part of this application. In essence, you would have Land Bays 2, 3, and 4 subject to the two year restriction and Land Bays 1 and 5R subject to the

construction of improvements provision. I suggest that Land Bays 2, 3 and 4 be made a part of this application in order to avoid such a split.

25. In further regard to proffer II.B.7., I note that the applicant's proposed trigger for construction of improvements in Phase IIIB is the 301st residential zoning permit in the combined Land Bays 1, 2, 3, 4, and 5R. However, if Land Bay 1 does not develop with residential uses, as stated in proffer I.A., then this number will never be reached. Land Bays 2, 3, 4, and 5R, combined, are capped at 289 units, as stated in proffer I.B. I believe that the proposed change to Land Bay 1 causes a serious problem with the proposed Phasing for the entire project. I strongly suggest that changes to the phasing plan and to the trigger mechanism need to be addressed if Land Bay 1 does not develop with residential uses.
26. In regard to proffer II.C.3.(a), in the third line thereof, I suggest that the word "formerly" be changed to "a.k.a.", as the CDP still refers to "Northstar Boulevard" as Route 659 Relocated, as do numerous references within the proffers.
27. In further regard to proffer II.C.3.(a), I note that while dedication of right of way for Route 659 Relocated, from Tall Cedars Parkway to the southern property line is addressed, I do not see any dedication for right of way from Tall Cedars parkway to the northern property line. The CDP states that this right-of-way is reserved per ZMAP 2002-0013. However, I cannot find such provision in the proffers for ZMAP 2002-0013. I urge staff to be sure that this right of way reservation for future dedication has been adequately addressed.
28. In further regard to proffer II.C.3.(a), in the last sentence thereof, I note that the applicant has included a provision that addresses the possibility that Land Bay 1 may be developed as other than residential, by including a new, alternative, trigger tied to the first zoning permit issued in Land Bay 1. However, this only addresses this one particular improvement. It does not address the entire Phase IIIB situation if Land Bay 1 is not developed with individual residences.
29. In further regard to proffer II.C.3.(a), the first trigger for the Route 659 Relocated is currently listed as the 301st residential zoning permit in Land Bays 1, 2, 3, 4 or 5R. I suggest that this be changed to read "the 301st residential zoning permit, cumulatively, in Land Bays 1, 2, 3, 4 and 5R".
30. In regard to proffer II.F., in the third line thereof, I suggest that the phrase "during site plan review process" be changed to "in conjunction with submission of the first site plan".
31. In further regard to proffer II.F., concerning the signal at Stone Springs Boulevard and Millstream Drive, I note that this signal is internal to the development, and I

do not understand why the applicant would pay for the signal as opposed to installing the signal. I suggest that this be considered.

32. In regard to proffer III.A.2., concerning the Middle School Site, I note that the site itself is not part of this application. Therefore, the proposed change to the proffer will not apply to the site itself. I suggest that consideration be given to including the site in this application.
33. In further regard to proffer III.A.2., I note that throughout the proffer the "Developer" is referenced instead of the "Owner". I suggest that this inconsistency be eliminated.
34. In further regard to proffer III.A.2., I do not understand the applicant's intent. The applicant has proposed that \$550,000 of the capital facilities funds contributed by the Owner may be drawn to finish grade the school site. It is not clear if the intent is for the applicant to provide such funds at the time needed in the event that they have not yet been contributed. Currently, it says that the funds are to be drawn "from the funds contributed" while the applicant then mentions "to the extent the Developer advances such funds" they shall receive a credit against the contributions required by Proffer III.F. I suggest that this be clarified.

The applicant then states that "the balance of the \$550,000 shall be used to reimburse either the County or the Developer for the construction of the commuter parking facility on Public Use Site #4". It is not clear if this \$550,000 is sufficient to both grade the school site and pave the parking facility. If it is anticipated that it is, then I suggest that it may be better to simply have the applicant proffer to do both and avoid the confusing aspect of how these funds are to be used to reimburse anyone. The applicant has already indicated the intent to receive a credit for these funds anyway and it is not clear what happens in the event that these funds are not sufficient to do both project. However, I note that currently there is no mention of this credit in proffer III.F., which deals with the capital facilities contribution and lists all other credits. I suggest that this provision be clarified.

35. In regard to proffer III.B.1., in the first line thereof, I suggest that the reference to the "Developer" be changed to the "Owner". Additionally, in the second and third lines of the proffer, I suggest that the phrase "shown on Sheets 4 and 5 of the Concept Development Plan" be changed to "shown on the CDP".
36. In regard to proffer III.B.3., I note that the proposed trigger mechanism for the contribution towards a concession stand at Byrne Ridge Park is the "301st residential zoning permit in Land Bays 1, 2, 3, 4 or 5R". I again point out the problem of this proposed trigger mechanism in the event that Land Bay 1 is developed with other than residential uses, in that there are only 289 residential

units planned for Land Bays 2, 3, 4, and 5R combined. I suggest that this be addressed. I also suggest that the term "301st residential zoning permit in Land Bays 1, 2, 3, 4, or 5R" be changed to "301st residential zoning permit, cumulatively, in Land Bays 1, 2, 3, 4, and 5R".

37. In further regard to proffer III.B.3., concerning a contribution towards the concession stand at Byrne Ridge Park, I note that this is a new proffer and that it is subjecting Land Bays 2, 3 and 4 to its terms, even though these land bays are not included in this application. I suggest that they be included.
38. In regard to proffer III.B.4., concerning the grant of an easement within the South Fork of the Broad Run stream valley, I suggest that the existing sanitary sewer line be shown on the CDP, and that the applicant specify from where to where this easement is to be granted. I further suggest that the applicant's internal trail system connect to this easement area and that consideration be given to whether or not to have the easement provide access to the archaeological site 44LD 1187 shown on the CDP.
39. In regard to proffer III.C., concerning the Library site, I note that the applicant has proposed that all permits and approvals for the building housing the Library will be obtained prior to approval of the 1,601st residential zoning permit, and that the library will be conveyed to the County on or before June 30, 2011. First, I note that the Library site is not part of this application, so the provision stating that the site will be conveyed prior to June 30, 2011 will not actually apply to the Library itself. I suggest that consideration be given to including the site in this application. Secondly, I note that the two different timing provisions could conflict with each other, depending on how far in advance of June 30, 2011 the 1,601st residential zoning permit is issued. I urge staff to ascertain whether this is a potential problem or not.
40. In regard to proffer III.F., in the eleventh line thereof, I suggest that the definition of "Net Contribution" is inaccurate. I suggest that the phrase "the Gross Contribution less the" be inserted following the phrase "The Net Contribution shall be". Additionally, in the fourteenth line of the proffer I suggest that the term "3#" be changed to "#3". Finally, I believe that the Net Contribution would equal \$12,602,774 minus the 11,271,300 credit for a total of \$1,331,474, and not the stated amount of \$11,271,300, which equals the capital facilities credit. I suggest that this be clarified.
41. In further regard to proffer III.F., in the sixteenth line of the proffer, I suggest that the phrase "and the remaining Net Contribution balance" can be deleted.

42. In further regard to proffer III.F., in the last line thereof, I suggest that the reference to "ZMAP 2002-0011/ZCPA 2002-0004" be changed to "ZMAP 2002-0013/ZCPA 2002-0004".
43. In regard to proffer III.G.3.a., in the first line thereof, I suggest that the word "Extended" be inserted, following the phrase "Millstream Drive".
44. In regard to proffer III.G.3.b., in the sixth line of the proffer, I suggest that the word "Extended" be inserted following the phrase "Millstream Drive".
45. In regard to proffer III.G.4., in the fourth line thereof, the applicant states that the zoning for the Public Use Site #4 would be PD-IP. However, I believe that the correct zoning would be either PD-CC(SC) or PD-CC(NC), but not PD-IP. I suggest that the correct zoning be referenced.
46. In regard to proffer III.G.4.a., I note that the applicant has indicated the intent to construct 100 parking spaces on Public Use Site #4 at such time as development occurs on Land Bay EE2A. The applicant has indicated that they "shall be entitled to reimbursement of the construction costs from the funds referenced in Proffer III.A.2." However, it is not clear whether those funds are sufficient to cover the costs of the school grading for which they are to be provided and to reimburse the applicant. It is not clear what is to happen if those funds are not sufficient. I suggest that this be clarified.
47. In further regard to proffer III.G.4.a., I note that while the Public Use Site #4 is to be conveyed to the County, the applicant shall be responsible for ordinary maintenance, landscaping, trash collection and snow removal, while the County shall be responsible for all other maintenance and repair. I question how this arrangement is going to work, how it is going to be documented, and who is to be responsible for the applicant's duties once the applicant has finished with development of the Property. I suggest that these matters be clarified.
48. In regard to proffer VI.C.1., in the first line thereof, I suggest that the phrase "on the Property" be inserted following the word "outfalls".
49. In regard to proffer VII.C., concerning the linkage between the commercial and residential uses, I note that the applicant has proposed amending the current requirement. I do not see how you can have one standard for the Property and another for the balance of Stone Ridge. I suggest that the change not be made.
50. These proffers will need to be signed by all landowners, and be notarized, prior to the public hearing on this application before the Board of Supervisors.

DEPARTMENT OF BUILDING AND DEVELOPMENT

COUNTY OF LOUDOUN

MEMORANDUM

DATE: July 22, 2009

TO: Stephen Gardner, Department of Planning, Project Manager

FROM: Todd Taylor, Environmental Review Team

THROUGH: Gary Clare, Chief Engineer
William Marsh, Environmental Review Team Leader

CC: Val Thomas, Zoning Planner
Kelly Williams, Department of Planning, Community Planner

SUBJECT: **ZMAP-2006-0011 & ZCPA-2006-0003**
Stone Ridge Commercial
(2nd Submission)

The Environmental Review Team (ERT) reviewed the revised application and offers the following comments:

1. Although the ZCPA proposal portion of the Statement of Justification was revised with this submission to include information regarding Land Bay 1, the information does not cover the removal of open space corresponding to the southern portion of the tributary that parallels Northstar Boulevard. As shown on sheets 10 and 12, the current proposal allows for a road and lots to impact the stream in this area, which runs counter to River and Stream Corridor Resources Policies 11 and 23 of the Revised General Plan (RGP). Staff does not support this layout change and recommends that the tributary be included as open space, as previously approved, and identified as a tree conservation area to ensure its protection. [RGP River and Stream Corridor Resources Policies 11 and 23]
2. The application has not demonstrated compliance with the "no net loss to wetlands in the County" policy on Page 5-11 of the RGP. The applicant's responses state that required mitigation for wetland and stream impacts are subject to contractual obligations. Please identify the location of the mitigation and provide a copy of the approved wetland permit, authorizing the impacts. If mitigation is proposed outside of Loudoun County, staff recommends that the permit be modified to provide mitigation within Loudoun County. A permit modification will likely be required to account for changes proposed as part of this application. Staff continues to recommend that the applicant commit to prioritizing mitigation as follows: 1)

onsite, 2) within the Broad Run Watershed within the same Planning Policy Area, 3) within the Broad Run Watershed outside the Planning Policy Area, and 4) Loudoun County, subject to approval by the U.S. Army Corps of Engineers (Corps) and the Virginia Department of Environmental Quality (DEQ).

3. With this submission, the tree conservation area located along the western side of landbays 7 and 8, adjacent to the stream, has been removed from the rezoning plan set. To better protect the stream corridor, including adjacent steep slopes, and to demonstrate consistency with the River and Stream Corridor Policies, please depict this area as a tree conservation area. As stated on Page 5-32 of the RGP, "riparian forests along streams provide the greatest single protection of water quality by filtering pollutants from stormwater runoff, decreasing stream bank erosion, and maintaining the physical, chemical, and biological condition of the stream environment". [RGP Forests, Trees, and Vegetation text on Page 5-32]
4. Existing Proffer VI.A does not adequately protect steep slopes and the stream corridor as it relates to the construction of proposed Millstream Drive. Staff recommends that the applicant commit to: 1) no land disturbing activities within the River and Stream Corridor 50-foot management buffer; and 2) for all land disturbing activities on moderately steep slopes outside of the 50-foot management buffer, strict erosion and sediment control practices such as super silt fence for all silt fence application; stabilization matting; and phasing development to avoid extensive areas of disturbance for extended periods of time. [RGP Steep Slope and Moderately Steep Slope Policy 3]
5. To demonstrate compliance with the Steep Slope Standards in Section 5-1508 of the Revised 1993 LCZO, please update sheets 4-13 with the current LOGIS steep slopes layer. Alternative steep slope depictions should only be provided when based on more detailed topographic information (i.e. 2-foot topography). [ZCPA Checklist Item J.3 and Revised 1993 LCZO 6-407(A)(3)]
6. Two small areas, located along the north side of South Point Drive, have been identified as tree conservation areas on sheets 5, 11, and 13. However, it is difficult to determine whether the proposed tree conservations areas correspond to the mature oaks trees staff recommended for preservation. To better illustrate the location of the proposed tree conservation areas in relation to existing vegetation, please provide the current Loudoun County Geographic Information System (LOGIS) forest cover layer on sheets 4-7 and 10-13. The forest cover currently depicted on the plan set does not reflect existing conditions in the area of South Point Drive. Attachment A depicts the approximate location of the mature oak trees. As previously stated, the tree conservation areas should include a suitable width to avoid impacting the oak trees' critical root zone (CRZ). Maintaining tree cover in this area will help to offset loss tree cover in other areas caused by this application. [RGP Forest, Trees, and Vegetation Policy 1 and Revised 1993 LCZO Section 6-1211(E)(9)]

7. The statement of justification refers to mature trees that will screen the light-industrial area proposed along Millstream Drive from the residential uses. Staff recommends that the mature trees be identified as a tree conservation area(s) on the concept development plan (CDP). [RGP Forest, Trees, and Vegetation Policy 1 and Revised 1993 LCZO Section 6-1211(E)(9)]
8. This application proposes to revise Proffer VI.G and excludes the "General Tree Protection" and "Long-Term Care" paragraphs that were provided in the existing proffer, approved as part of ZMAP-2002-0013/ZCPA-2002-0004. For clarity and consistency with current applications, staff suggests the following language:

"Within the areas identified on the Concept Development Plan (CDP) as "Tree Conservation Areas," the Owner shall preserve healthy trees provided, however, that trees may be removed to the extent necessary for the construction of trails and Stormwater Management Facilities that are required pursuant to the proffers and/or shown on the approved construction plans and profiles as lying within such Tree Conservation Areas and for the construction of utilities necessary for development of the Property. A minimum of eighty (80) percent of the canopy within the cumulative Tree Conservation Area depicted on the CDP within will be preserved, exclusive of stands of Virginia Pine over 25 years in age. In the event that the eighty (80) percent canopy threshold cannot be achieved within the designated Tree Conservation Areas, such lost canopy will be recaptured elsewhere onsite in locations to be designated at the discretion of the Owner in consultation with the County. Boundaries of all Tree Conservation Areas shall be delineated on the record plat recorded for each section of the development."

"If, during construction on the Property, it is determined by the Owner's certified arborist and/or the County that any healthy tree located within the boundaries of any of the Tree Conservation Areas described in this proffer has been damaged during construction and will not survive, then, prior to any subsequent bond release for the Property, the Owner shall remove each such tree and replace each such tree with two (2) 2½ - 3 inch caliper native, non-invasive deciduous trees. The placement of the replacement trees shall be proximate to the area of each such damaged tree so removed, or in another area as requested by the County."

"The HOA documents shall include a provision that prohibits removal of trees in Tree Conservation Areas as shown on the record plat after construction has been completed by the Owner without specific permission of the County Forester except as necessary to accommodate Forest Management Techniques, performed by or recommended by a professional forester or certified arborist, that are necessary to protect or enhance the viability of the canopy. Such Management Techniques may include, without limitation, pruning and the removal of vines, invasive species, trees uprooted or damaged by extreme weather conditions, and trees or limbs that are diseased, insect-infested, dead, or are considered a hazard to life or property. The HOA documents shall clearly state that such provisions prohibiting tree removal shall not be amended by the Owner or the HOA without

written approval from the County. The record plat for each portion of the Property containing a Tree Conservation Area shall contain a note stating that the removal of trees within a Tree Conservation Area is prohibited except in accordance with the Declaration of Covenants.”

9. Proposed Proffer VI.G refers to a tree conservation area within the PD-H4 landbay, which is Land Bay 5R. However, the CDP does not include a tree conservation area within that landbay. Also, the tree conservation area, located southwest of Land Bay FF1A is not located within the R-24 landbay limits as described in the proposed proffer. Note that the above suggested language corrects these inconsistencies by removing references to specific landbays.
10. The CDP identifies a tree conservation area corresponding to the existing stormwater management (SWM)/best management practice (BMP) pond located northeast of the library site. Please correct this discrepancy. Attachment A identifies the pond area.
11. The northeastern SWM/BMP facility in Land Bay 1 is located on-line with a jurisdictional stream, which is problematic. On-line SWM/BMP facilities are typically not permitted by the Corps and DEQ. Staff recommends relocating the facility. [RGP River and Stream Corridor Resources Policies 11 and 23]
12. Staff recommends removing the “Proposed HOA Recreation Facility” exclusion, related to the 36-foot buffer yard with 6-foot berm and Type I rear buffer yard plantings, from existing Proffer VI.E, consistent with the notation on sheets 4, 5, and 10-13. Also, existing Proffer VI.E requires the applicant, during the subdivision review process, to engage an acoustical engineer to address compliance with the RGP’s highway noise policies with respect to Route 659 Relocated and Tall Cedars Parkway. Staff recommends that the proffer be revised to commit to a noise study to be submitted to the County for review and that the study be based on the most recent, applicable forecasted traffic volumes available from the Office of Transportation Services and the ultimate design speed of the specified roadways. Staff further recommends that the timing be changed to construction plan or site plan to allow the noise analysis to be based on final topography. [RGP Highway Noise Policies and Revised Countywide Transportation Plan Noise Policies]

Please contact me if you need any additional information.

A98

ATTACHMENT A



A99

This page intentionally left blank.

DEPARTMENT OF BUILDING AND DEVELOPMENT

COUNTY OF LOUDOUN

MEMORANDUM

DATE: April 16, 2009

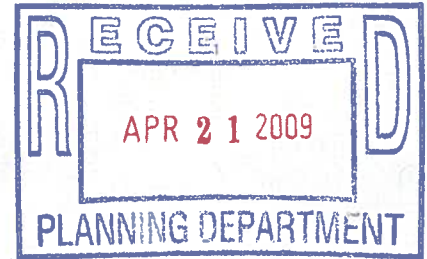
TO: Val Thomas, Zoning Planner

FROM: Todd Taylor, Environmental Engineer *to*

THROUGH: Gary Clare, Chief Engineer *GC*
William Marsh, Environmental Review Team Leader *WM*

CC: Kelly Williams, Department of Planning, Community Planner
Dan Csizmar, Office of Capital Construction

SUBJECT: **ZMAP-2006-0011 & ZCPA-2006-0003**
Stone Ridge Commercial - REVISED



The Environmental Review Team (ERT) reviewed the subject application during the April 6, 2009, ERT Meeting. A site visit was also conducted on April 9, 2009. Our comments pertaining to the current application are as follows:

Regarding forest resources, steep slopes, and floodplain

1. The proposed Public Use Site is limited in size at 3.4 acres, located in close proximity to the floodplain and steep slopes, predominantly covered with healthy deciduous trees, and has an existing stream system located in the rear of the property. These conditions do not present an ideal development site in relationship to protecting the County's green infrastructure. Staff recommends that the applicant consider another site for public use that would have less environmental impacts. Attachments A and B provide an aerial photograph with environmental overlays and supporting site photographs, respectively. Attachment A includes the approximate alignment of proposed Millstream Drive and the approximate boundaries of the public use site. [Revised General Plan (RGP) Forest, Trees, and Vegetation Policy 1; RGP River and Stream Corridor Resources Policies 11 and 23; and Revised 1993 Loudoun County Zoning Ordinance (Revised 1993 LCZO) Section 6-1211(E)(9)]
2. Staff recommends shifting the proposed alignment of Millstream Drive farther east to minimize impacts to moderately steep slopes. In addition, staff recommends committing to measures that will be used to protect the steep slopes areas and adjacent floodplain and stream during construction activities. Example measures include super silt fence, stabilization matting, and development phasing to avoid

A101

extensive areas of disturbance for extended periods of time. [RGP Steep Slope and Moderately Steep Slope Policy 3 and Revised 1993 LCZO Section 5-1508 and Section 6-1211(E)(6)]

3. The application proposes to alter the alignment of South Point Drive (formerly Canary Grass Drive). During previous site visits as well as the April 9, 2009 site visit, staff identified several healthy mature white oak trees located north of the proposed road alignment, adjacent to a cleared area. Staff recommends that the existing vegetation in this area be identified as a tree conservation area on sheets 5 and 11. The tree conservation area should include a suitable width to avoid impacting the critical root zone (CRZ) of the oak trees. Maintaining tree cover in this area will help to offset loss tree cover in other areas caused by this application. [RGP Forest, Trees, and Vegetation Policy 1 and Revised 1993 LCZO Section 6-1211(E)(9)]
4. Staff recommends including a commitment that establishes the intent and limitations within tree conservation areas, similar to what has been provided with previous Stone Ridge rezoning and concept plan amendment applications [RGP Forest, Trees, and Vegetation Policy 1 and Revised 1993 LCZO Section 6-1211(E)(9)]
5. Staff recommends depicting the current Loudoun County Geographic Information System (LOGIS) floodplain, forest cover, and steep slope layers on sheets 4-13. The current depictions are inconsistent with County mapping. [ZCPA Checklist Items J.3, J.5, J.6, and L.2]

Regarding wetlands

6. Staff emphasizes the importance of mitigating wetland and stream impacts close to the impact area to help maintain water quality and flood protection functions, as well as habitat. As such, for any necessary mitigation, staff recommends that the applicant commit to prioritizing mitigation as follows: 1) onsite, 2) within the Broad Run Watershed within the same Planning Policy Area, 3) within the Broad Run Watershed outside the Planning Policy Area, and 4) Loudoun County, subject to approval by the U.S. Army Corps of Engineers (Corps) and the Virginia Department of Environmental Quality (DEQ). This approach is consistent with Policy 23 on Page 5-11 of the RGP which states that "the County will support the federal goal of no net loss to wetlands in the County." Furthermore, the County's strategy is to protect its existing green infrastructure elements and to recapture elements where possible [RGP, Page 6-8, Green Infrastructure Text].
7. The southernmost potential stormwater management (SWM)/best management practice (BMP) facility in Land Bay 1 is located on-line with a jurisdictional stream, which is problematic. On-line SWM/BMP facilities are typically not permitted by the Corps and DEQ. Staff recommends relocating the facility. [RGP River and Stream Corridor Resources Policies 11 and 23]

A102

Regarding water quality

8. Staff recommends several measures for the existing pond south of Millstream Drive, in order to minimize future maintenance expense, improve its water quality benefit, and enhance its visual appeal [RGP Surface Water Policy 5 and Revised 1993 LCZO Section 6-1211(E)(9)]:
 - The pond does not include sediment forebays. Forebays are a minimum design standard for SWM ponds that provide preventive maintenance. Therefore, staff recommends that forebays be installed at all current and future stormwater pipe outfalls.
 - The existing embankment is rutted on top from frequent vehicle use, and the side slopes have not been mowed for a long time. Ruts that collect rainwater encourage seepage into the pond embankment that can compromise structural stability, while infrequent mowing encourages woody plant growth that also compromises stability. Staff encourages the applicant to promptly address proper facility maintenance.
 - Staff encourages establishing a forested buffer along the side slopes of the existing pond (except for the embankment side slopes and near any new sediment forebays), consistent with Section 7.304 of the Facility Standards Manual. Viable buffers along the embankment enhance green infrastructure, provide a visual buffer between the uses on either side of the pond, and can compensate for some of the existing stream buffer that will likely be lost from inundation within the pond basin.

Regarding green building practices

9. Staff supports a built design with this application that helps to sustain the natural environment, consistent with RGP language on page 5-2. Accordingly, staff recommends that the applicant implement design measures that conserve energy and water consumption, minimize waste generated during construction, and maintain interior and exterior air quality. RGP policies supporting these design measures include policy one, page 2-20; policy two, page 2-23; policy one, page 5-5; and policy one, page 5-41.

Several design approaches are available to achieve these goals, including Leadership in Energy and Environmental Design (LEED) as administered by the United States Green Building Council; and Energy Star and Water Sense programs administered by the Environmental Protection Agency. The Board of Supervisors has endorsed LEED as the preferred green building rating system for non-residential construction through its support of the COG Regional Green Standard, available at <http://mwkog.org/environment/greenbuilding/>. Loudoun County also participates with the Energy Star program and uses the Energy Star Portfolio Manager to

A-103

benchmark energy efficiency for public facilities, along with designing public facilities to LEED silver standards. Staff recommends incorporation of these design approaches and is available to discuss design options with the applicant, thereby meeting its role as "leader and facilitator" for achieving and sustaining a built environment of high quality, as directed by RGP policy one, page 5-5.

10. Staff encourages implementation of green building standards within the residential portions of the application. The Board of Supervisors recently adopted CPAM-2007-0001, housing policy that includes Guiding Principle Policy 12: "The County encourages development that utilizes energy efficient design and construction principles, promotes high performance and sustainable buildings, and minimizes construction waste and other negative environmental impacts." Several feasible, practicable standards exist for green neighborhood development, including but not limited to EarthCraft, LEED for Homes, and green building standards promulgated by the National Association of Home Builders.

Other

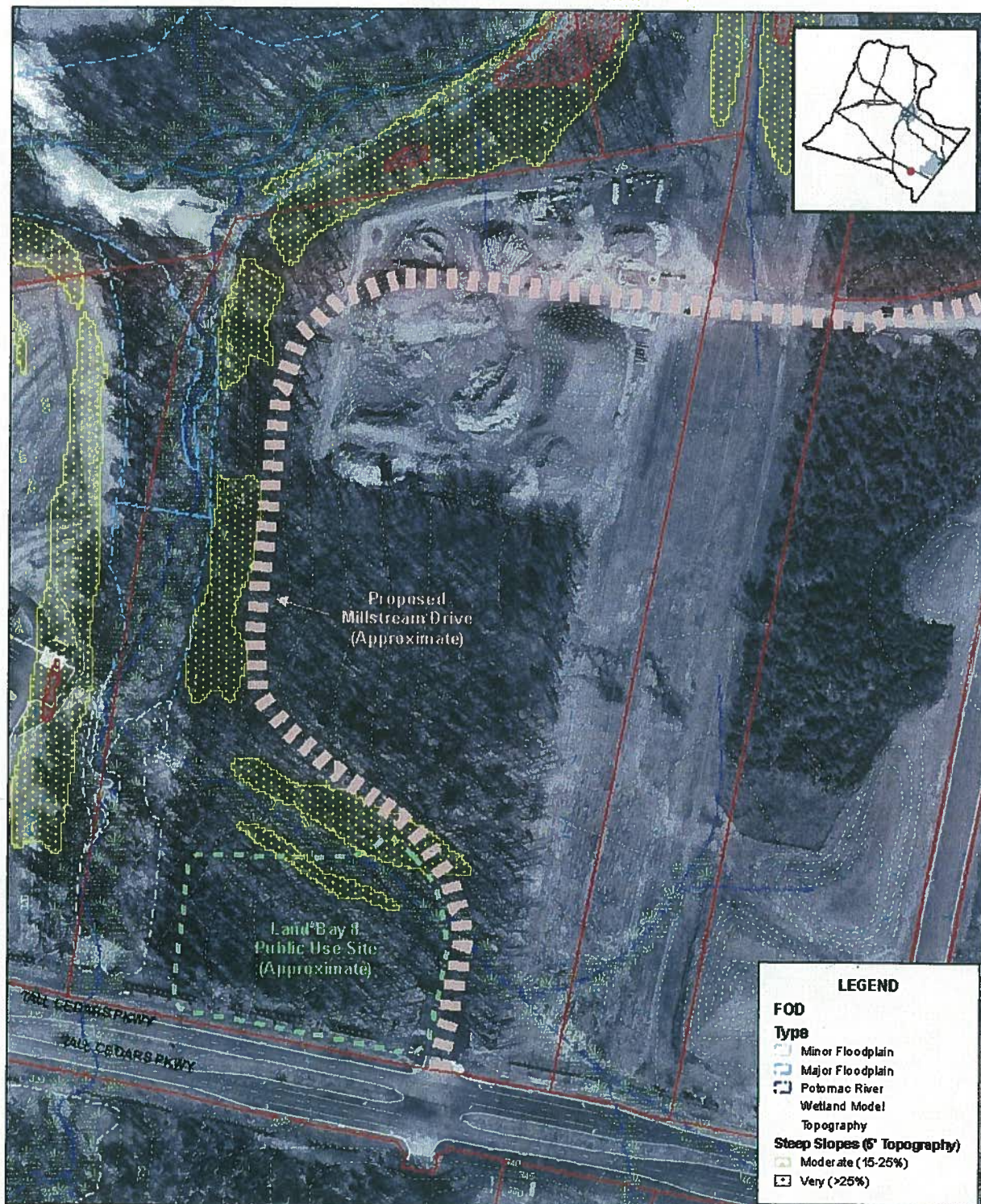
11. Please add information to the "ZCPA Proposal" section of the Statement of Justification explaining the proposal in regards to Land Bay 1. Staff notes that the depiction of open space and tree conservation areas have changed between the current CDP proposal and the approved CDP associated with ZMAP-2002-0013 and ZCPA-2002-0004. Particularly, the current proposal includes the elimination of open space corresponding to the southern portion of the tributary that parallels Northstar Boulevard. As shown on sheets 10 and 12 (Illustrative Plan and Land Use Map), the current proposal allows for a road and lots to impact the stream in this area, which runs counter to River and Stream Corridor Resources Policies 11 and 23 of the RGP. Staff recommends that the tributary be included as open space, as previously approved, and identified as a tree conservation area to ensure its protection. [ZCPA Checklist Item K and RGP River and Stream Corridor Resources Policies 11 and 23]
12. Proposed Proffer V.I.E requires the applicant, during the subdivision review process, to engage an acoustical engineer to address compliance with the RGP's highway noise policies with respect to any residential lot located closer the 175 feet from Northstar Boulevard or Tall Cedars Parkway. Since the area of impact is unknown, staff recommends removing the "175 feet" threshold. Staff further recommends that the proffer commit to a noise study to be submitted to the County for review and that the study is based on the most recent, applicable forecasted traffic volumes available from the Office of Transportation Services and the ultimate design speed of the specified roadways. Lastly, staff recommends that the timing be changed to construction plan or site plan to allow the noise analysis to be based on final topography. [RGP Highway Noise Policies and Revised Countywide Transportation Plan Noise Policies]

Please contact me if you need any additional information.

A104

ATTACHMENT A

STONERIDGE COMMERCIAL - PROPOSED MILLSTREAM DRIVE / PUBLIC USE SITE



Map Prepared By the Department of Building and Development (4/10/09)
2008 black and white imagery by VARGIS
Data from Office of Mapping and Geographic Information

A105

ATTACHMENT B



Looking northwest at Public Use Site



Stream in northeastern corner of the Public Use Site

A106


DEPARTMENT OF BUILDING AND DEVELOPMENT

COUNTY OF LOUDOUN

MEMORANDUM

DATE: October 18, 2006

TO: Stephen Gardner, Planning Project Manager

FROM: Todd Taylor and William Marsh, Environmental Review Team 

CC: Miguel Salinas, Community Planner

SUBJECT: **ZMAP-2006-0011 and ZCPA-2006-0003 Stone Ridge Commercial**

The Environmental Review Team (ERT) reviewed the subject application during the September 26, 2006, ERT Meeting. Our comments pertaining to the current application are as follows:

Regarding stormwater management (swm)

- 1) As shown on Sheet 3, Landbay 7 and a portion of Landbay DD-1 north of Millstream Drive do not depict any swm features. Please depict the approximate location, estimated size, and type(s) of facilities consistent with Section K.4 of the Rezoning Checklist.
- 2) ERT recommends several measures for the existing pond north of Millstream Drive, in order to minimize future maintenance expense, improve its water quality benefit, and enhance its visual appeal:
 - The pond does not include sediment forebays. Forebays are a minimum design standard for swm ponds that provide preventive maintenance. Therefore, staff recommends that forebays be installed at all current and future stormwater pipe outfalls.
 - The existing embankment is rutted on top from frequent vehicle use, and the side slopes have not been mowed for a long time. Ruts that collect rainwater encourage seepage into the pond embankment that can compromise structural stability, while infrequent mowing encourages woody plant growth that also compromises stability. Staff encourages the applicant to promptly address proper facility maintenance.
 - Staff encourages establishing a forested buffer along the side slopes of the existing pond (except for the embankment side slopes and near any new sediment forebays), consistent with Section 7.304 of the Facility Standards

A-107

Manual. Viable buffers along the embankment enhance green infrastructure, provide a visual buffer between the uses on either side of the pond, and can compensate for some of the existing stream buffer that will likely drown from inundation within the pond basin.

Regarding forest resources

- 3) The Forest, Trees, and Vegetation Policies of the Revised General Plan encourage the preservation of existing vegetation (Page 5-32). During sites visits conducted on October 5, 2006 and October 17, 2006, staff identified several healthy mature white oak trees located on the north side of the cleared area that correspond with the alignment of proposed Canary Grass Drive, between Land Bays FF1 and FF2. The land disturbance that has already occurred has not impacted the critical root zone (CRZ) for the majority of these trees. As such, staff recommends that trees occurring along the north side of the road alignment be identified within a tree conservation area on the concept development plan (CDP). The tree conservation area should include a suitable width to avoid impacting the CRZ of the mature oak trees. For healthy trees with a diameter breast height greater than or equal to 6 inches that are damaged during construction, staff further recommends that the application commit to replacing a damaged tree with two 2.5 to 3-inch caliper native deciduous trees.

Due to the scope of the comments provided, staff requests an opportunity to comment on the subsequent submission of this application. Please contact me if you need any additional information.

A108